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FROM

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NEW SERIES.

[No. 16.]

THE JOURNAL
OF
PRISON DISCIPLINE

PHILANTHROPY,

(PUBLISHED ANNUALLY)

UNDER THE SANCTION OF "THE PHILADELPHIA SOCIETY FOR
REFORMATION OF THE MINDERS OF PRISONERS,"
INSTITUTED, &c.

JANUARY, 1870

PHILADELPHIA:

E. GRANT, 22, N. 3RD ST. COR. 3RD ST.

AND
J. W. BROWN, 10, N. 3RD ST. COR. 3RD ST.

1870

CONSTITUTION

OF THE

Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Universalty, are not canceled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which poverty, hunger, cold, unnecessary severity, unwholesome apartments, and filth, (the usual attendants of prisons,) involve with them, it becomes an inextinguishable compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity, their undue and illegal sufferings may be prevented; the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of Vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of our truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes, they have adopted the following CONSTITUTION:—

ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Councillors, and an Auditing Committee; all of whom shall be chosen at the stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society within thirty days, for the purpose of holding such election, of which at least three days notice shall be given.

ARTICLE II.

The President shall preside in all meetings and supervise all public acts of the Society. He may call special meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

ARTICLE III.

The Secretaries shall keep full records of the proceedings of the Society, and shall conduct its correspondence.

NEW SERIES.

NO. XVI.

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY.

PUBLISHED ANNUALLY

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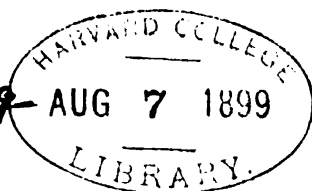
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ROOMS OF THE
PHILADELPHIA SOCIETY

FOR

ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January) 18th, 1877, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report), consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, EDWARD H. BONSALE, REV. E. R. BEADLE, D. D., and WILLIAM DUANE, presented the draft of the Annual Report, which, being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At a Special Meeting of the Society, held First Month, 18th, 1877, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they might think proper; and they were also authorized to distribute it.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE,
Secretary.

JOURNAL.

PART I.

REPORT OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

THE Society for Alleviating the Miseries of Public Prisons does not confine its labours simply to the softening the rigour of prison discipline to individual convicts, nor content itself in its publications with simple statements of the manner it has employed its active members, or the plans of action which it has projected. For many years the Journal has contained discussions of important measures that have direct or indirect relations with the plans of the society, and has contained statements of the progress of the general principles upon which it acts in neighbouring States and in foreign countries. The spirit of prison inquiries

has been promoted and directed by this course, and prison discipline has risen from a doubtful opinion to the importance of a possible science. Formerly, not many years ago, the thought of meliorating the condition of prisoners was held in this country as one of those impracticable ideas that find existence in unsettled minds, and its advocates reckoned among those who make sure to themselves a permanence of advocacy by the entire impossibility of ever making the scheme practicable. If things have changed, and some have been satisfied with the possibility of at least partial success, and others, in larger number, have ceased to ridicule the impossibility of the success because of the evident good intention of its advocates, we demand for the founders of this institution and their successors, actors, thinkers, and defenders, all the credit for which the measure of present success in a good cause may be claimed for any one.

We are not ignorant of the labour and success of Howard, nor of the gentle sweetness and hallowed self-devotion of Fry. We do not distinguish the sex. Heavenly virtue is of a "common gender," though not of a common exercise. We know something of the history of the labours of Howard. We say "something:" Who shall know *all* that is suffered by a man of high feeling when he is about to make a sacrifice which may involve relations and interests beyond himself? Who shall say what is the endurance of a sensitive mind when the finger of scorn is pointed at him as an enthusiast, and the suspicion of friends have relation to the sanity of the mind that is directed to

objects which they cannot fully comprehend? We admire the task which Elizabeth Fry devolved upon herself; but we are free to say, that while we read much of her labours of love, and the sweet fruit of those labours, we do not think that there was, a few years ago, a general appreciation of the amount of sacrifice to which that woman offered herself, nor a perfect comprehension, in this country, of the circumstances that gave importance to her labours as a work of good to the prisoner in England, and of example to the prisoner's friend in this country. The vast difference between prisons of England and those of the United States—the great difference of the administration of the criminal law of that country and that of the laws of the United States—seem to shut out comparison, and the character and conduct of Elizabeth Fry appear to be regarded as wholly unsuited as a precedent for action in this country.

We saw, while the name and services of Howard have place in the history of modern philanthropy, and those virtues and services valued at the highest, they were too much taken as samples of extraordinary devotion and sacrifice in times, and under circumstances so different from our age and our country, that people loved to applaud all of their goodness without thinking of the practicability of imitation.

The founders of this society, and their successors in the administration, seemed to manifest very little evidence of being actuated by the example of others. Their plans of labour and endurance had reference apparently to the exact situation of prisons and pri-

soners of their own time. Of course the same good spirit was operative then that stirred up Howard and Fry; but it would seem that the same operations, the same plans, the same instruments would have been formed and used by our predecessors in this society had the good works of Howard and Fry never been recorded. The record of those good works may have excited, stimulated, and perfected good deeds that had been already *suggested* by crime, sorrow, and suffering nearer home.

We suppose no man who commences any great work for public benefit has a clear idea of the full results of the scheme should they prove practical and greatly beneficial. Did Guttenburg, Faust, and their contemporaries have any vision of the vast importance of the art of printing as perfected by them? Did those who reduced the waste of boiling water to an important power in mechanics have any clear perception of the prominent part which steam was to have in science, the arts, in trade and commerce by land and by sea?

Nor could the founders of "The Society for Alleviating the Miseries of Prisons" have had any clear perception of the great effects of their primary efforts as softening the condition of the culprit, doomed by law to waste his life away in the chill or heat of a dungeon, in the realization of the horrible truth that every day of life was making the hour of death more welcome as a cessation from actual pain, and more dreaded as opening the door to a judgment-seat that former life and present associations made terrible. They could only hope to lessen some of the evils of a

condition of the condemned culprit, even worse, to a mind that retains one capability of distinguishing the degrees of shame, than the congregation of felons in a pestilential dungeon — the horrible punishment of labour in the public street, with general attention invited by the peculiarity of dress and the clanking of manacles.

It is not our intention to mark the progress of felon experience from the tortures to which we have alluded, up to the incalculably different condition in which the condemned convict is allowed by practice to hide his shame from the world, and is entitled *by law* to conceal it from other felons.

For years and years this society worked in its small sphere with the mighty subject. It wrestled with prejudice and caste. It contended with hostilities, and in time silenced them.

The good work went forward, or rather considering the limited theatre of its action, it advanced in a circle which slowly widened its circumference, till at length others who had felt correct impulses and desires, and had means for doing good to the prisoner, made our movement an example, and combined for the benefit of the repentent guilty. One could almost designate the year when the good effect of our exertions was manifested in other communities by associated effort, not always, rarely indeed, perhaps never, in the same form and manner as with us. The feeling for alleviating the miseries of public prisons is acknowledged and indulged, perhaps, less elsewhere than in Philadelphia by personal and direct interference with the

individual prisoner. Associations have been formed in this country and abroad with a view of influencing legislation, and of bringing nations as well as individuals to feel that the innocent need an alleviation from danger from prisoners, and that society has a right to be protected from the outrages of the unprincipled, as well as to be satisfied that acts of felony are punished. Hence local, hence national, hence international, congresses — not so much at first to decide upon forms of prisons as to keep alive and inform public anxiety with regard to the great principles of penology.

Our society sees with deep interest all these efforts which are made in almost every part of the civilized world — but approving of them generally as it does, it is careful not to omit its efforts for individuals in its exertions for the whole. Hence while this society rejoices at the increasing prevalence of the spirit by which it is itself actuated, it finds in any apparent decay of that spirit abroad, nothing to lessen its efforts, nothing to diminish its hopes. Its proper work is before it. The idea of forms of prisons and systems of administration may occupy its active members, but never to the exclusion of the obligations which it assumes towards the prisoner. By badly planned houses, discipline and improvement may be impeded, and by inappropriate systems, the benefits of its labours may be greatly lessened — but if a single prisoner is to be relieved, whatever may be the form of the prison, or the character of the system, there is an undisputed work. And while national and international assemblies discuss the question of prison disci-

pline, this society is bent upon its first work of looking to the prisoner. His condition may be greatly alleviated by improved plans for prison structures, and his mind and principles benefited by a system that gives ready access to him — but he must not be neglected and lost, whatever may be the plan of the prison or the system of its administration. That is, we must not allow those imperfections of structure and those errors of administration to repress our zeal, to hinder our efforts. Wherever the convict is, in whatever place of confinement, or under whatever form of discipline, he is no less a human being, though he may have less of humanity than he once possessed; his own restoration is as important to him, as an individual, as ever it was, and is more important to society in proportion to the degradation of his character and the multitude and magnitude of his felonies.

There seems, in the circumstances and condition of the Philadelphia County Prison, for most of the last year, that which not only multiplied the suffering of the male prisoner, but that which hindered the action of the prison visitors. It is not among the most pleasant occupations of time, to spend half an hour in a close cell with a prisoner whose frequent conviction of crimes prove the depraved character of the client. Most people shrink from such a mode of illustrating philanthropy; but what must be the reluctance of a visitor to enter a cell, intended by its construction and dimensions for only one person, and to encounter there three or four coarse men whose thoughts and conversation, whose plans and proceedings, have

almost invariably been hostile to virtue, and whose condition, in the prison, by no means induces delicate ideas. With these four prisoners or with one prisoner in a cell, from which he is not required to go out, companionship is hardly desirable to the visitor; and with more than one in a cell the association must be most repulsive. We cannot say that the work of trying to reform was carried on by our visitors to the prison with the same earnestness and the same success that marked their labours in former years. Indeed, we have to lament such a repulsion, we will not say, falling off, as to render visitation at once an unpleasant and unpromising office.

Meantime we cannot say that the males in the County Prison have been neglected. If good moral advice could not in all cases be given, and where offered would not be taken—we have still to record the efforts of committees to do what could be done under such circumstances.

In the female department, though the number rose from fifty to one hundred and forty, the ministrations of the ladies did not cease, and, as we think, much good was done. The sudden influx of women abandoned for a long time to vice and crime, and indeed of some women who seemed only for the time to have been abandoned by a good Providence, interfered greatly with the ordinary ministrations of the visitors, and for a little while seemed to revive the remembrance of the old times, when imprisonment denoted utter depravity, and the cell contained the altar upon which all good resolutions were sacrificed, and the determina-

tions to vice were fulfilled in the resolution to crime. That was an awful scene, and as among the convicts and the arrested we saw some whose words had promised another course of conduct, and whose action for a time fulfilled that promise, it was a season of discouragement and relaxation.

The vast addition to the population of the prison has not affected the activity of the agent for that institution, although at times he would be almost confused by the multiplicity of demands for exertions to liberate, and means to send home, those who had been confined, and there were scenes of misery and suffering, resulting from misappropriation or the attempts to gratify covetousness, that would excite pity in the obdurate, and we may add that there were occasions for deep interest resulting from a yielding to sudden temptation. "Lead us not into temptation," is an important part of the Lord's prayer, but "deliver us from evil," is of not less consequence to those who did not listen to the suggestions of conscience at a moment of unexpected trial.

There were persons who, it would seem, never before yielded to the species of temptation that beset them last summer, and yet failed to sustain themselves against the evil at a moment of unusual trial. Years of creditable association with the good habits of recognized propriety, nay, of remarkable liberality, seemed to have opposed no obstacle, and a few hours destroyed the beautiful fabric which childish amusement, youthful enjoyment and womanly respectability had reared. It is not permitted to us to present to our

readers instances of sudden departure from virtue, or yielding to sudden impulses of desire of possession which were consequent upon an attempt to enjoy the wonderful Centennial exhibition of last year. They were most painful to the stranger from the appearance of the unfortunate actor. They were most surprising to friends from the former unsullied reputation of the unhappy culprit. These departures from virtue, and their detection and the consequent imprisonment of the actors, caused pain to the visitors of the prison, and offered occasions that were not neglected to alleviate the miseries of the prisoners. It was scarcely requisite to make the offender comprehend the extent of the offense. The actor seemed fully aware of what was done, and the effect upon character which an exposure of the crime would insure.

The visits to the prison have not been diminished in number, only in influence, by the increased amount of incarceration, and we are led to hope that some moral good has been effected among the prisoners. We know what earnest efforts have been put forth for that end, and we know also that the visitors and agent to the County Prison have wrought great physical good by their exertions, and occasionally we hear encouraging accounts of the success of some who began to feel, and did openly profess their belief, that a life of vice does not pay. But it ought to be remarked that very few cases of confirmed improvement are noted that were not secured by watchfulness and some contribution of continued advice and appropriate physical aid after release.

It is proper here to say that the agents of the two committees continue their devotion to the work on which they are engaged.

Wm. J. Mullen continues to labour on behalf of the prisoners of the County Prison, and his exertions have been great, constant, and eminently successful. We shall submit an extract from his account of his annual labours. The different cases show the immediate effect of the action of this society. It is much to visit the unhappy object of a criminal conviction, to soften his hard condition by gentle and good association, and to try to make the sufferer feel that his condition is of his own procuring, and by gentle suasion to lead him to strong resolves on future amendment, to persuade him to look forward to liberty in the solemn determination not to seek temptation; rather to avoid scenes, and objects, and persons that encourage evil. In prison there is less to promote evil acts. The place is favourable by its solitude to the formation of good resolutions, and prisoners and visitors are often misled by the apparent change of plans; which appearance is rather due to present inconvenience than to a sound, rational, practical repentance. But the duty of the visitor is not less imperative. If that state of mind is a part of the condition of the prisoner, then that state should be considered in the special ministrations of the visitor. That is a part of his mission. That alleviates the miseries of prisons. But there is another way, and in that Mr. Mullen finds his path of duty. Hundreds, we may say thousands, are every year committed to prison on charges, false

or frivolous. Such persons do not relish moral instruction; to them the miseries of the prison is the absolute wrong which is inflicted upon them by undeserved imprisonment, or it is the injury and suffering which they and their dependent families are made to endure by an exaggerated estimate of their offense, and an indifference to the immense importance of their time in the work of supporting their families. Often the prisoner feels that the bad temper of a neighbour has manifested itself by unnecessary complaint before a magistrate, and sometimes the misery of such a prisoner is increased by a recollection of a similar un-neighbourly act on his own part, by which his present imprisonment is made to appear as an act of bitter revenge on the part of his neighbor, for similar acts on his own part. Heavy charges are often made against persons who suffer unjust imprisonment awaiting a trial, while they are without the means of procuring bail, or obtaining an opportunity to prove their innocence, or of enforcing from the prosecutor the evidence of their guilt, if any such exist. A wretched mother, made more wretched by her own misconduct, and exciting sympathy by a condition that appeals to all manly feelings, may not have a perfectly clear record, and yet her domestic duties and her approaching danger, appeal for a release from prison; not so much on a claim of positive innocence as upon the evidence that personal and domestic dependence outweigh the importance of any consideration of public justice. To such it cannot be said with hope of entire obedience, "Go and sin no more;" but it may be hoped that the

cause of their liberation will lead to reflection that may induce amendment.

But there are committed to the prison persons who are entirely innocent of the charge upon which they were arrested. These persons suffer much by confinement, often from an anticipation of the great evil which such charges thus enforced will effect upon their business relations. They may have many friends, but none, perhaps, who possess real estate to give them the power of becoming "bail" for their appearance at Court, where their innocence can be established, or rather where their prosecutor must fail in attempting to prove their guilt.

There is another class of persons who are sent to prison on a charge of riot — "disorderly house," etc. These people have been swept away from their homes with the maelstrom of a "police raid." Many well deserving of arrest are taken up, but the poor occupant of a miserable chamber in a "disorderly" house is found in the capacious building, and suffers for the companionship or co-tenancy into which she is driven by her poverty.

With all these classes of persons, Mr. Mullen, as the agent of this society and of the prison inspectors, has to do, and he has much to do to attend to their cases, and more, perhaps, to hear the vituperative complaints if he fail to procure their release. For it often happens that the general character for insubordination of the prisoner is to be considered by the magistrates when only the simple act is registered against the offenders. A man may be imprisoned on

the charge of wantonly breaking his neighbour's windows, when other complaints of breaking his neighbour's head are held in abeyance. The woman committed on charge of "breach of peace and abuse," is refused discharge because her offense is habitual.

Mr. Mullen has much trouble to procure release for some of these persons, and is frequently driven to adopt the magistrate's opinion that it is better for the neighbourhood and for the prisoners themselves that they should learn a little moderation.

But such work constitutes the main part of Mr. Mullen's labour, and his visits in a single day, extend often from Blue Bell to Germantown. Some hundreds of the above-named class are released every month by Mr. Mullen's exertions. We dare not say that every person for whom the agent pleads is absolutely innocent; we fear not, at any rate; but these cases admit of some serious mitigation, and it is generally asserted by Mr. Mullen and conceded by the magistrate, that circumstances render it highly probable that a discharge of such a person may be granted without any injury to public justice, and with a great probability of individual benefit. We cannot suppose that all of the cases in which Mr. Mullen successfully interferes are, on the whole, of so much merit as they are made to assume at the time of action, or that every person for whom he procures release is entirely innocent. It would be a very severe censure upon the decision of a magistrate thus to decide. The charges are often "breach of peace by abuse," or by "assault," and no doubt the "abuse" was uttered and the "assault" made,

and, perhaps, intoxication mingled with the offense and increased it. The little time which offenders are imprisoned on such charges allows small space and less hope for amendment. While a family of children and a husband, if the offender is a woman, are suffering for want of the labours (we are not speaking of affectionate care) of the female head of the family; and if the prisoner be a man, then wife and children suffer for want of the care and services which only can be bestowed by a husband and father. Society suffers more by the disordered condition of the family of such a prisoner than it is likely to suffer by the misconduct of the father or mother out of the prison.

There are persons who are absolutely "nuisances." Loud scolding and frequent brawls disturb the over-peopled courts into which these people crowd themselves to *live*, and scarcely allow others (their house-mates), the same privilege. The "*common scold*" is revived in our midst, in the decisions of the magistrate, though there is no proof that there is any great addition to the usual amount of vituperation. It is worthy of remark that the charge of being a "common scold" has of late been more than once made against a *man*. Hitherto it has been supposed that the freedom of utterance, implied in that designation of offense was a sort of monopoly of the other sex. We do not find that the punishment formerly attached to a conviction upon the charge of common scold, *viz.* the "ducking stool" is now inflicted. Though it is certain that in the memory of some of our oldest citizens the crime was recognized in our Courts, and the prescribed punish-

ment talked about. The law prescribing the "ducking stool" has, we think, been amended so far as to substitute "fine and imprisonment," for the old "*trebucket* or ducking stool," but whether that change was made from a sense of humanity and in the cause of common decency, or whether the law was altered to prevent the apparent inequality and lessen the superiority of the position which its existence gave to woman, we are unable to say, as in any legal works that we have consulted on the important question, only women seem to be capable of becoming common scolds, and consequently only women were entitled to the privilege of the "ducking stool." We have already stated that cases have occurred in the prison of our City in which *men* were committed as common scolds. Whether the disuse of the old instrument has led men to try the offense, or whether they always had the power and occasionally put it into practice, it is difficult to say. Certainly the "ducking stool" was once an instrument for punishing women for scolding; and men who made and administered the law did not include their own sex in the possibility of the offense or the infliction of the penalty. We do not generally indulge in any remarks upon the *character* or provisions of statute law, but the *practice* under that law is often a matter for consideration.

In cases that have occurred in the cells of the County Prison, Mr. Mullen has proceeded to procure the release of the prisoner, on the charge of being a common scold, exactly in the same mode in which he seeks to get the discharge of one charged with riotous

disorder, or with being a nuisance, and he has found foolish persons of both sexes who needed his interference to free them from imprisonment for an indiscreet use of the tongue.

From the many cases upon which Mr. Mullen reports success he has supplied the following:—

REPORT OF PRISON AGENT.

PHILADELPHIA, November 24, 1876.

To the Chairman of the Editorial Board of the "Philadelphia Society for Alleviating the Miseries of Public Prisons."—

DEAR SIR:—

In compliance with your request, I have given you a statement of the number of cases that I have caused to be released from our County Prison within the last ten months, and this accompanied by a detailed account of some of the cases taken from the whole number. They were all "court cases," and were released with the consent of the proper authorities, and in most instances with the consent of the prosecutors.

Number of prisoners released through the interference of the agent within the last ten months, from January 1 to November 24, 1876, were two thousand five hundred and ninety-seven. Amount saved in food, by procuring their early release, instead of detaining them for trial, was \$9,511 47, from January 1 to November 24, 1876. Amount saved that would have been required to be expended for the ignoring of their cases was \$18,828 25, from January 1 to November 24, 1876. Amount of prisoners' money expended as costs in settlement of their cases was \$54 10. The amount saved to the taxpayers in procuring the liberation of these prisoners, and in the settlement of their cases within ten months, was \$28,339 72.

The whole number of prisoners released through the interference of the agent, within the last twenty-three years, since the commencement of the agency, was 40,674.

All of which is respectfully submitted for your approval.

WM. J. MULLEN,

Agent.

A SELECTION OF CASES, AS TAKEN FROM THE JOURNAL OF THE PRISON AGENT, WILLIAM J. MULLEN, FOR THE YEAR 1876.

NUMBER 1 : — Was the case of a respectable woman of industrious habits. She was a dressmaker, and was in the employ of one of our principal stores where they sell women's ready-made clothing, on Chestnut street. She had been committed to prison upon a charge of threats, of which charge she said she was not guilty. She stated that her husband was sick, and in a dying condition, in the hospital, and her child, which she had placed in a temporary home for the day, while she went to her employment, required her attention, and for these reasons the agent investigated the case, and found that her husband had just died in the hospital, and that her child had been taken from the nursery where she had left it, and sent to the almshouse. In view of this distressing state of things the agent conferred with the Judge and the District Attorney, and got their sanction to have the case disposed of at once. The prosecutor was sent for to appear before the Grand Jury, at which time she stated her complaint so strongly against the prisoner that a true bill was found, that left the case to be disposed of by the slow process of a trial before a jury. After this much had been done by this vindictive and malicious prosecutor, and as this did not give prompt relief to the prisoner, which would enable her to attend to the burial of her husband and the procuring of her child, that had been improperly sent to the almshouse, your agent appeared before the Grand Jury, with the permission of the Assistant District Attorney, Mr. Kerr, and made a full statement of all the facts in the case, as he had ascertained upon investigation, and asked them for humanity's sake to do a charitable act by ignoring

her case, and afford her an opportunity of burying her husband and obtaining her child. This request of the agent was at once complied with by the Grand Jury, who reconsidered their previous action; ignored her case, and adjourned; went to the prison, saw the woman, and satisfied themselves that the prosecution was a malicious one. They found her in a frantic and distressed condition of mind. They not only saw that she was at once released, but they showed their sympathy for her by contributing liberally of their own funds to assist her to bury her husband, which burial took place soon after under her directions. After this the agent went with her to the Mayor, and got his detective to state to the President of Guardians of the Poor that a mistake had been made in the undue haste that had taken place in sending the child to the almshouse, and it would be perfectly proper to restore it to the mother, who was abundantly able to care and provide for it by her own industry. When this statement had been made the President at once gave her an order to get her child. She expressed her gratitude to your agent for his prompt and friendly interference in her case.

NUMBER 2 : — Was that of an industrious man who was imprisoned upon a charge of larceny, which consisted in his taking a few pieces of tin, of but little value, from the authorities of the navy yard, where he was employed. His family were in great distress, his wife having died since he was in prison, and his children were on the verge of starvation. He had been employed by a contractor to clean bricks at 75 cents a thousand, had worked four days in the rain without receiving any money. As his wife required medicine, and his children needed bread, he asked his employer to advance him fifty cents of his earnings. This was refused him. He then asked for twenty-five cents, and this was also refused. He then became desperate, and picked up a few pieces of tin from the rubbish of an old tin shop he had been assisting to tear down. He did this with a hope of getting food for his distressed family, and at a time when his wife was dying. Her death actually took place the next day. When the information of her decease was brought to the knowledge of your agent, by a physician's certificate,

he immediately went to the United States Commissioner who committed the prisoner, informed him of the death of the prisoner's wife, and asked to be taken for bail for the prisoner, in order that he might be released to see to the burial of his wife.

After a consultation with the U. S. District Attorney Valentine, his assistant, and the Commissioner, the request was complied with, and the prisoner was at once released from prison, and permitted to see to the burial of his wife. This was the only thing that could be done at the time in the case, as the Courts were not in session, and as the Grand Jury would not meet until February next, to take action in his case; and he would have had to remain in prison over two months before his case could be disposed of by that body.

NUMBER 3: — Was that of a woman imprisoned on a charge of threats. She was sued by a friendless woman whom she had taken pity upon, and given shelter to herself and children, until she could receive assistance from her husband, who was employed at a distance from the City. When funds were sent to her by her husband, that were ample to pay the prisoner for their board during the time they had been sheltered, she refused to pay anything, and insisted upon taking her trunks away. The prisoner remonstrated with her, and this resulted in a quarrel, and her imprisonment, and the leaving of the prosecutor in possession of the house, to do just as she pleased with the prisoner's property. The agent explained her case to the Magistrate, and procured her release.

NUMBER 4: — Was the case of a young man who was accused of malicious mischief, which consisted in his breaking a pane of glass. The agent procured his release from prison by having the prosecutor to consent that his case might be ignored. The prosecutor wanted (\$10) ten dollars, when the damage done only amounted to (\$3) three dollars. The agent paid him the three dollars, the money having been given by the prisoner's mother, who was a very poor woman, and was unable to pay the ten dollars.

NUMBER 5 : — Was that of a man of intemperate habits. He was committed upon a charge of assault and battery upon his wife. The agent interfered and obtained his release, by consent of his wife, upon a promise that he would sign the temperance pledge, and abstain from drink in the future. He was a carpenter, and could earn good wages, and his employer desired his release. He had an industrious wife and a large family of children depending upon him for support.

NUMBER 6 : — Was the case of a respectable woman who had been employed as a servant in a family that resided in German-town. While so employed she was robbed of five dollars. In consequence of this she became dissatisfied, and requested her employer to pay her the wages then due, as she desired to leave his house. He did not comply with her request, but persuaded her to remain, and he said if she would do so he would pay her the five dollars which she had been robbed of. She remained with the family nine weeks without receiving any money for wages, which she repeatedly asked for and it was refused. As she was a member of a church, she consulted her pastor as to what she had better do in the case. This gentleman went with her to a lawyer, to get advice on the subject, and he recommended her to sue her employer for the amount due. He appeared before a magistrate, and judgment was given against him, and he entered bail to have the case taken to Court. She afterwards met him on the street, and begged him to pay her the wages, as she was suffering for the want of it. In order to get rid of her without paying, his wife went before a magistrate and accused her of stealing some articles of clothing of little value. Upon this testimony she was committed to prison, when the agent immediately took charge of the case, and supplied her with first class counsel, to defend her in case it came to trial. In the meantime the agent procured the names of nine witnesses, who were respectable people, and who knew of the good character of the prisoner, and who were ready to testify to the unfavorable character of the prosecutor, and the agent also had the names of four persons whom this man had defrauded in a similar manner. Among the witnesses there were

two landlords whom he had defrauded out of rent. He lived in good style, and bore the appearance of a first-class gentleman. The agent informed the District Attorney of the injustice of her case, and asked him to send for the prosecutor, and have the case disposed of at once. This he did ; but, as the prosecutor had given the wrong number of his residence, he could not be found, and the case was ignored and the prisoner released, after which she proceeded, under direction of counsel, to prosecute her prosecutor for perjury and false imprisonment. As soon as this suit had commenced, he went into Court with counsel and complained that he had not been regularly notified to appear to prosecute the prisoner. Notwithstanding this was his own fault, in not giving the right number of his residence to the magistrate, the Court authorized another bill to be drawn against the prisoner for the same offence that had previously been ignored. This opportunity having been afforded them, they then testified strong enough as to cause a true bill to be found against this poor woman, who had sued them for her wages. Their counsel has since intimated that they have no desire to press this case against her, and will not, in all probability, if she will withdraw the charge against them, and consent at the time to lose her nine weeks wages and the five dollars she had been robbed of while living in their family. The agent saw that she was not returned to prison, but was discharged on bail, and will remain so until the case is finally disposed of in Court

NUMBER 7 :— Was that of a respectable woman, who was imprisoned upon a charge of assault and threats, which charge was preferred by her own daughter, who had become offended at her mother, because she would not allow certain characters to visit her, as the mother disapproved of their company, and threatened them and the daughter ; and for this they had her arrested and imprisoned. As she had a family of seven children, which required her attention, the agent, at the request of her husband, interceded in her behalf, and explained her case to the magistrate, and procured her release, so that she might return to her family.

NUMBER 8 :— Was the case of a woman who was wrongfully

imprisoned by a drunken party, who came to her house and broke open her door, and when she remonstrated with them, they went to a magistrate and sued her, and had her sent to prison. The agent explained her case to the magistrate, and saw that she was released from prison.

NUMBER 9:— Was the case of two intelligent men, who were strangers in our City, and just arrived from New York, after which they were attacked by a crowd of ruffians, who beat and robbed them and caused them to be imprisoned. This was done to prevent the prisoners from appearing against them. When the case was explained to the magistrate he gave the agent a discharge for them, but it arrived too late, as the case was returned upon the prison calendar. The agent explained their case to the District Attorney, and saw that they were honorably discharged, after which he supplied them with railroad tickets and sufficient money to take them to New York, where they belong.

NUMBER 10:— Was that of a poor woman who was imprisoned upon a charge of abuse. She was in great distress, and was suffering from a pain in her breast, which was caused from having been separated from her sucking infant, which was left at home uncared for, and needed a mother's care. She was released by the interference of the agent, who promptly had the case settled.

NUMBER 11:— Was the case of a young man, a stranger in this City, from New England, where he resided and was respectably connected. At the request of Superintendent Perkins, who had received a letter from his sister in Connecticut, informing him of the distress which had been caused in his family by the arrest and imprisonment of the young man, the agent took charge of his case, and supplied him with counsel, and saw that he was honorably discharged of the charge of assault and battery, of which offense he was not guilty. This was accomplished by producing a letter from the prosecutor, stating that he did not wish to prosecute, as he himself was in fault.

NUMBER 12 : — Was a sailor that had been committed on a charge of larceny. Upon investigation it was shown that the money was his own, and that he had not stolen it, as it was alleged that he had. The agent explained his case to the magistrate, and procured his release from prison.

NUMBER 13 : — Was that of a respectable man, wife, and children, who had been arrested and imprisoned upon the charge of threatening ; this was done at the instance of a malicious and quarrelsome neighbour, that had sued and imprisoned them. The man was a jeweller. The agent informed his employer of his imprisonment, after which he and his family were bailed out, through the interference of the agent, after being in prison a few hours. They were property owners, showed their deeds, and asked to be released upon their *own bail*, which was refused by the magistrate. Their case was one of great oppression.

NUMBER 14 : — Was a young girl that had been committed upon the charge of larceny. As she was young and inexperienced the agent got the judge to refrain from sentencing her, and allow her to be taken from the prison to the Howard Home, where she would be detained for a year to receive such instruction that would tend to benefit her, and cause her to be honest in the future.

NUMBER 15 : — Was that of a little boy fifteen years of age, that had been tried, and convicted upon false testimony, and sentenced to imprisonment of five months, for the larceny of a watch of but little value. The agent investigated the case after the boy's conviction and sentence, and ascertained from the neighbours that his character was good, and that he worked in a ship yard, and earned \$4 50 per week, which he was in the habit of giving to his widowed mother, to assist in supporting her and four children. He was not guilty of the offence of which he was convicted. It appeared that another boy had stolen the article, and gave it to him to sell. In view of his youthfulness, and previous good character, the agent interfered in his behalf, and asked the Judge of the Court to reconsider the sentence, and allow him to be restored to his mother, who needed his assistance in support of the family. She herself

worked in a factory, while her little girl, eight years of age, took charge of two younger children in her absence. The agent's request was granted, and the prisoner was released and restored to his mother. This friendly interference gave great satisfaction to all parties concerned.

NUMBER 16: — Interfered on behalf of an old woman, who had been committed to prison for contempt of Court; which consisted in her being unable to pay ninety dollars, costs. Agent saw the counsel on the opposite side of the case, and induced him to get his client to withdraw the charge for witness money and costs. By this arrangement the prisoner was released from custody, after being but a few hours in prison.

NUMBER 17: — At the request of Inspector Chandler, interfered in the case of a small boy convicted of larceny, who was the victim of a bad boy, that persuaded him to commit the offense complained of. The agent got the prosecutor to accompany him to ask the Judge of the Court to consent not to sentence him, but allow him to be sent South to be taken care of by a relative.

NUMBER 18: — Was the case of a worthy woman who had been badly treated, and wrongfully imprisoned, by her husband upon the charge of assault and battery and malicious mischief. She got herself into the difficulty by complaining about her husband's ill treatment of her son, whom she had by a former husband. The agent procured her release by becoming bail for her, after which he accompanied her and her little boy to the office of the trustees of the Girard College, which was done for the purpose of having his name entered to become an inmate of the College.

NUMBER 19: — Was the case of a woman who was accused of assault and battery. She got herself into the difficulty by doing a benevolent action, in preventing a drunken woman from scolding her children. Her prosecutor was about to throw a kettle of hot water upon them, at which time the prisoner stepped between the ferocious woman and the children, and received the contents upon

her own person, the effects of which were plainly visible when she appeared in Court for trial. The agent supplied her with counsel, who explained her case to the jury, after which she was honorably acquitted for doing a praiseworthy act, in resisting a drunken and brutal mother from injuring her children.

NUMBER 20:— Was that of a woman who was insane. Her release was accomplished by the agent promising to take charge of her and see that she should be prevented from annoying her neighbours.

NUMBER 21:— Was the case of a small boy, who had remained in prison since the first of January, for breaking a pane of glass valued at ten cents. He was an orphan and a cripple, and had remained in prison nearly three months without his case being disposed of by the grand jury. The difficulty of his detention in prison so long, was mainly occasioned by the magistrate having neglected to return his case to Court, which was discovered by your agent in his investigation, who saw that he was supplied with counsel, and immediately released.

NUMBER 22:— This case was of an intelligent woman, who had been in good circumstances at one time. In consequence of her husband being out of employment, they had become reduced in circumstances—so much so that she was under the necessity of going to a second-handed store, where clothing could be bought cheap. She desired to purchase a frock for herself. She was invited by the proprietress to go into the back room to try the dress on, to see if it would fit her. Previous to doing this, she put her hand in her pocket, and took out her pocket-book and laid it upon the counter. After she had re-dressed herself, she took up her pocket-book, as she supposed, and put it in her pocket. In this she made a mistake, and had taken the pocket-book of the proprietor, that was lying upon the counter at the same time, in mistake for her own. A police officer that was near by at the time had her arrested and imprisoned upon the charge of larceny. Your agent went to the magistrate and to the prosecutor and explained her case in such a way that was satisfactory to all parties

concerned, after which the prosecutor went before the grand jury and stated she believed the prisoner had made a mistake, and there was nothing wrong intended upon her part when she took the pocket-book, which she thought at the time was her own.

NUMBER 23:— Was the case of a man who was imprisoned upon the charge of assault and threats. His wife was the prosecutor. She was a woman of intemperate habits. His offense consisted in threatening to leave her if she persisted in drinking intoxicating liquors. The agent saw her and obtained her consent for her husband's release, which was given by the magistrate.

NUMBER 24:— Was that of a man imprisoned upon the following charges:— Assault, threats, and abuse. The man was detained in prison two months, the magistrate having returned the case in a mistake for cruelty to animals. Your agent discovered the error, and informed the District Attorney of the fact. The prisoner was sent for and immediately discharged by the Court.

NUMBER 25:— Was the case of a poor woman who was imprisoned with her child upon the charge of keeping a disorderly house. The disorder complained of was on the part of her child, that annoyed the landlord, whom she was indebted to for a small amount of rent, which she was unable to pay. The prosecutor resorted to this method to get her off of his premises. She consented to leave his house, after which she was discharged by the magistrate, through the interference of your agent.

NUMBER 26:— Was that of a poor man who was imprisoned upon the charge of larceny of twenty-five cents; after he had been tried and acquitted, was held to bail by the Judge to keep the peace for one year. As he had a wife and three children in Brooklyn, your agent induced the Judge of the Court to take the agent for bail, after which a ticket and some money were given to the prisoner to take him to his family in Brooklyn, where he could get employment. He was a stranger in this City, without friends. By this interference of your agent he was saved a year's imprisonment, which might otherwise have taken place.

NUMBER 27: — Was the case of a man who was imprisoned upon the charge of assault and battery. He got into the difficulty by quarrelling with his landlord about some rent that was then due that he was unable to pay. The prosecutor used harsh words towards the prisoner that provoked him to strike him. The agent interfered in his behalf, and got him to consent to leave the premises, after which the agent procured his release from the magistrate, with the consent of the prosecutor.

NUMBER 28: — Was that of a poor woman that was imprisoned upon the charge of breach of peace, and abuse. Her case was one of great hardship, as she had been separated from her sucking infant that was in the hands of the neighbors. She got into a quarrel about her children. The agent interfered in her behalf, and obtained her discharge from the magistrate, with the consent of the parties that had imprisoned her. She was afterwards released, after she had been in prison but a few hours.

NUMBER 29: — Was the case of a respectable woman who had been employed in the country with her child, a little girl ten years old. She came into the City to see a relative, and to get a place for her little girl. It was after night on her arrival into the City, and she says she got confused and became bewildered, and asked a policeman to direct her to the place she wanted to go to, and, instead of his complying with her request, he arrested her and caused her to be imprisoned with her child. The agent inquired into her case, and procured her discharge from the magistrate.

NUMBER 30: — Was the case of four Italians that had been committed upon the charge of breach of peace and abuse. Their imprisonment was unjust, as it was evident that the only object of their imprisonment was to extort illegal and exorbitant costs from them. When the Italian Consul was informed of their unjust imprisonment he requested your agent to make an investigation of their case, and procure their release, if it should appear that they were unjustly imprisoned. Their prosecutor was seen, and their case promptly settled very soon after their imprisonment. The agent became bail for them to keep the peace toward the prose-

cutor. There had been a similar arrest of Italians the day previous, before the same magistrate, who, it is said, exacted sixteen dollars from them to release them. Ten dollars of this amount were paid to a person to go their bail to keep the peace for the offence they were accused of, of which they were not guilty. It was the same prosecutor in both of their cases.

NUMBER 31 :—Was the case of a man who was wrongfully imprisoned upon a false misrepresentation, made to the Mayor by telegraph, that he was unnecessarily detained in prison for fifteen days, upon a false charge, without any one being able to prove anything against him. Alderman Carpenter, acting for the Mayor, expressed his regret at committing the prisoner, and said hereafter he would commit no man upon a telegram, without there was collateral evidence sufficiently strong to justify him in the committal, which did not seem to be the case in this instance. At the request of the agent the prisoner was released.

NUMBER 32 :—Was that of a poor woman that was improperly imprisoned upon the charge of breach of peace. She had a helpless family depending upon her for support. The real cause of her imprisonment was, she was in arrears for rent and the landlord was desirous to get her off his premises. Upon her promising to leave, the agent obtained her discharge from the magistrate.

NUMBER 33 :—This was that of an unruly young girl, seventeen years of age, of respectable parents, that was disobedient and unmanageable, so much so as to have induced her parents to have her committed to prison. The agent obtained her release from the magistrate, with the consent of her parents, and took her to the Howard Home, where she will receive instruction that will tend to benefit her. The main cause of her disobedience was occasioned by her taking a dislike to her stepmother, whose orders she refused to obey.

NUMBER 34. — Was that of a young girl, about eighteen years of age, who was committed to prison upon the charge of highway robbery, the larceny of eighty cents. She got herself into the

difficulty by assailing a young girl that had the arm of a gentleman whom the prisoner was in love with ; prompted by jealousy she took hold of her prosecutor, and threw her down, at which time, in the scuffle, the prosecutor lost eighty cents. At a time when she was much excited, and with a desire to get revenge, she went to a magistrate and testified that the prisoner had assaulted her upon the highway and robbed her of eighty cents. As the prisoner admitted that she assailed the girl, but denied having taken the money, your agent called upon the young man and asked him the particulars of the case. He stated that the prosecutor had admitted to him that she had lost the eighty cents in the scuffle, and she had brought the charge of highway robbery to get satisfaction. Your agent called upon the prosecutor and got her to accompany him to the District Attorney and make a true statement of the case. When this request was complied with, a *noll. pros.* was entered and the prisoner released, and the prosecutor accompanied the agent to the prison, where both parties became friends by the prosecutor consenting that the prisoner might have the young man's affections without any further interference upon her part. By this management, upon the part of the agent, these parties became reconciled, by an amicable settlement of the case, and the prisoner relieved of the grave charge of highway robbery.

NUMBER 35 : — Was the case of a man who was unjustly imprisoned upon the charge of assault and battery ; a charge that was preferred against him by a drunken prosecutor that had first assaulted him and got him into the difficulty which resulted in his imprisonment. When the agent interfered in his behalf, the prosecutor not only consented to the prisoner's release, but also expressed a willingness to pay the cost. The prisoner says he was acting in self-defense. He was a stranger in the City ; has a wife and two children in Cincinnati, Ohio, who are depending upon him for support. The agent obtained his release from the magistrate.

NUMBER 36 : — Was that of a woman that was committed to prison upon the charge of breach of peace ; who was suffering from a severe affliction of the eyes. She was desirous of being released

to be placed under treatment at the Eye Infirmary. The agent procured her release and gave her some money.

NUMBER 37:—Was that of a woman who had been imprisoned, with her child, upon the charge of breach of peace and abuse. The cause of the trouble was that she was in arrears for rent. The real object for the imprisonment was to get her to leave the premises. The agent saw that her effects were removed from her residence, and the key given up to the landlady, who readily consented for the prisoner to be released from prison, which the agent procured from the magistrate.

NUMBER 38:—Was the case of an insane man. The agent procured a certificate from each of the prison physicians, certifying to his insanity; obtained an order from the Guardians of the Poor, and saw that he was sent to the Insane Department of the Almshouse.

NUMBER 39:—Was the case of an interesting young girl of sixteen years of age, that was an orphan. She had been imprisoned at the request of her brother and her aunt, upon the charge of breach of peace. She had become disobedient and uncontrollable. The agent got her to consent to accompany him to the Howard Home, where he placed her in that excellent institution, where the instruction she will receive will tend to benefit her, and she will be so taught as to enable her to do for herself.

NUMBER 40:—Was the case of a worthy man that had a wife and seven children who were depending upon him for support. He had been imprisoned upon the charge of abuse and threats, an offense of which he was not guilty. The real cause of his trouble was that he was in arrears for rent. In consequence of this, this false charge was preferred against him, to cause him to vacate the premises. When the agent informed the Court of the facts in this case, the prisoner was released from prison upon the agent having been taken for bail, and in this way an opportunity afforded him to look after his helpless family.

NUMBER 41 : — Was the case of a respectable woman and her servant girl, that had been imprisoned upon a charge of "assault and battery, with attempt to kill," a charge of which they were not guilty, as was ascertained by the agent's investigation of the case. The difficulty was occasioned by a quarrel between the prisoner's husband and herself. Her son, that she had by her first husband, had come to this City to pay a visit to his mother, the prisoner. She had given him permission to remain with her at home until the next day, when he intended to leave the City, and return to his home. Her husband said that the boy should not remain in his house, and called in two of his neighbours to put him out. The mother gave protection to her son, and the servant girl came to her assistance. Blows were struck, and a desperate resistance was made, for which the two women were imprisoned. The agent interfered, and showed how unreasonable the conduct of the husband was, after which there was but little difficulty found in getting the case settled, with the consent of all parties concerned, after which the prisoners were released, after having been imprisoned but a short time.

NUMBER 42 : — Was the case of an insane man, that had been committed to prison for an attempt to commit suicide by jumping into the river. He was drawn up by the police, and committed to prison for thirty days, after which the agent procured a certificate from the Prison physicians, who certified upon oath to the prisoner's insanity, after which the agent obtained an order from the Visitor of the Guardians of the Poor of the First District, and saw that the prisoner was sent to the insane department of the Almshouse. This circumstance was published in the daily papers. The publication attracted the attention of the officers of the Hungarian Benevolent Society, of New York, who appointed a delegation to come to this City, and confer with your agent in reference to having the prisoner released from the Insane Asylum for the purpose of having him sent to his parents in Hungary, who were wealthy and abundantly able to provide for him. The agent gave them the necessary information that enabled them to procure the

man's release from the Asylum, for the purpose of being sent home at their expense.

NUMBER 43 : — Was the case of four small boys, two of whom were brothers, whose ages ranged from nine to fourteen years. They had been committed on suspicion of having taken a net jacket of little value. The agent applied for a writ of *habeas corpus*, supplied them with counsel, and saw they were discharged by the Court, and taken charge of by their parents. It was the first time they had been accused of any offense.

NUMBER 44 : — Was the case of a man that had been arrested and committed to prison as a suspicious character. Your agent found upon inquiry that he was a respectable mechanic that had established a good reputation for himself, at his place of business, as a house painter. He gave good references of persons that he had worked for, in painting their houses. When these facts were made known to the magistrate by your agent, the prisoner was at once discharged, and permitted to return to his place of business, soon after he had been committed.

NUMBER 45 : — Was the case of a man of intemperate habits, who had a wife and three children dependent upon him for support. He was an excellent mechanic, and was foreman of a large manufactory that was dependent in a great measure upon his skill for the success of the establishment. He had a permanent situation at good wages if he would refrain from the use of intoxicating liquors ; as his wife was on the eve of her confinement, as the family was in great distress in consequence of his intoxicating habits, that had caused him to neglect his work, and finally which resulted in his imprisonment upon the charge of nuisance and abuse to his family : In view of the above circumstances your agent gave special attention to the case, induced him to sign the temperance pledge, after which he authorized your agent to enter into an arrangement with his employer to send all his earnings to his wife for the benefit of his family, as he believed if he was deprived of the means of purchasing intoxicating liquors it would

go very far in assisting him to refrain from strong drink for the future.

NUMBER 46 : — Was the case of a poor Italian woman that had a family of five children dependent upon her for support. One of her children broke a watermelon belonging to a neighbour that had the article for sale. The owner of the melon quarrelled with the prisoner about the conduct of her children. The prisoner became very much excited, and made use of abusive language while defending her children. For this she was prosecuted, after which the agent became bail for her, and had the case settled upon her promising to pay the cost.

NUMBER 47 : — Was that of a woman who got into a difficulty by quarrelling with the prosecutor, who owed her some money that he refused to pay when he ought to have done so. As she stood in need of money she went to his place of business, and insisted upon the immediate payment of the amount due. As he failed to satisfy her claim, or give her any satisfaction, she became exasperated and struck him, for which he sued her and imprisoned her, after which she was taken with convulsive fits, from which she suffered very much. The prosecutor was seen, and a letter obtained from him by your agent, wherein he recommended to the District Attorney to enter a *noll. pros.* in the case, as he did not wish to further prosecute the woman. The request was complied with, and the woman was released from prison, and taken charge of by her friends, who took her to her home, and cared for her in her feeble condition.

NUMBER 48 : — Was a similar case, of a worthy colored woman, of good character, that was committed to prison upon the charge of assault and battery and attempt to kill. She was the mother of an infant she had in her arms at the time when she was assailed by a miserable drunken woman, who attempted to kill her by cutting her with a razor. The prisoner defended herself and her infant by knocking the razor out of the hand of her assailant. In the struggle to defend herself she succeeded in possessing herself of the razor, and struck back with it at her prosecutor, and cut her

pretty badly, for which she was arrested and imprisoned. The agent supplied her with counsel, who proved the previous good character of the prisoner, and at the same time proved the bad character of the prosecutor, that had served out three terms in prison as a convict, besides serving out six months in the House of Correction. As the injury inflicted upon the prosecutor was done in self defense, and was not denied, the jury could do no other than find her guilty, and recommended her to the mercy of the Court, after which Judge Hare gave her a merciful sentence of but one week. If the case had not been as fully explained to the Court, her sentence would probably have been a year imprisonment, which would probably have been a very great hardship for her and her infant.

Mr. Mullen makes an estimate of the amount of money which the full success of his commission has saved to the City in the last year, and in the forty years of his service as Agent of the Society and of the Prison. We have not thought it necessary to calculate exactly the saving in the board and clothing of each prisoner whose release he has secured, nor the amount saved to the City by his arresting the case on its way to the Grand Jury. If the money saved by these branches of his labours should not prove equal in amount to his calculation, owing, perhaps, to some difference in the element of his arithmetical work in the estimate of the cost of board, it is certain that the real saving exceeds many, many fold the salary which he receives for doing that work of benevolence, a work of benevolence, we think, in the principal as well as in the agent.

But, in considering the amount saved by these releases from the Court and the Prison, we should con-

sider the amount of domestic and individual misery which his services have saved or lessened. The father or mother placed in the prison cell leaves the home destitute. The restoration of the erring parent to the responsibility of home is often a restoration to respectability. Few think how requisite in the family of the very poor is the presence of the mother. She may have done wrong, and may do wrong again, but the children need her care. They may have suffered some by her intemperance, but they would suffer more by her absence after the effects of intemperance should have passed off. The innocent, the unoffending, are often committed by the magistrate, and they are often released by Mr. Mullen's interference. Can any one tell the amount of distress that is alleviated by successful efforts in that direction. And those efforts have been often most successfully put forth. Who shall estimate the family blessings that have resulted from the release of one of its members on the condition of a solemn pledge to avoid the ways and means that led to the disgrace of imprisonment? And add to that happiness the experience that time has strengthened the resolution adopted, and insured confidence in the ample fulfillment of the pledge.

We are not speaking thus confidently, and thus almost exultingly, in praise of Mr. Mullen alone. We mean by our remarks to illustrate the workings of our Society. It is creditable to Mr. Mullen thus fully and faithfully to discharge his mission; but it is honorable in the Society to have the beautiful results of such a mission among the objects of its designs and labour.

And here, perhaps, it would be right to say, that the Board of Inspectors of the Philadelphia County Prison count Mr. Mullen as one of its employés, and encourage and assist to pay for his exertions, and thus entitles itself to the credit of exercising enlarged *mercy*, without neglecting the weighty matters of *justice*.

We have given an unusual space in our Journal this year to the cases reported by Mr. Mullen, and we are free to say that not one of these reported would be regarded by the reader of a morbid taste as entitled to a place among the *causes célèbres*. But to the prisoner thus released, and to his family, each case may have been, probably was, of vast importance. None can appreciate this successful interference but those who impatiently await, or delightedly listen to, the keeper's annunciation: — "You are discharged." We are free to say that we have been induced to this prodigality of our space from the fact that visitors, and even Grand Juries, viewing the excessively crowded condition of the cells of the County Prison, and knowing that the agent was employed, have expressed opinions that a greater exercise of his abilities would lessen the inconvenience to innocent prisoners and overworked prison-keepers. In the course of a year Mr. Mullen settles nearly three thousand cases. That would seem to be work for many men, and those who have had opportunities of witnessing the exertions of Mr. Mullen, and to know the result of his efforts, some times feel astonished not only at the number of those whose discharge he procures, but of the

difficulties surmounted in settling cases. The heavier cases are not so abundant; they belong to the Courts, and Judge and Jury are required for their conclusion. They are considered of importance to society by the fraud or violence of the offense charged. Those with which Mr. Mullen interferes are important to the individual and family, and their settlement not only releases individuals from prison, but sometimes restores peace and good feeling between parties who had united to break the peace and destroy good feelings.

EASTERN PENITENTIARY—AGENCY.

The feelings of this Society are deeply engaged in the circumstances of the Eastern Penitentiary, and the condition and improvement of its inmates. They receive great attention from the visitors of this Society, and their welfare on leaving its cells is one particular object of the Agent's solicitude. The offense and punishment of the inmates of the Penitentiary usually differ in some degree from those of the tenants of the County Prison. But the great difference in the character of the punishment, and the relations of the prisoners, render it absolutely necessary that there should be an Agent for the Penitentiary, independent of the one employed at the County Prison, and this, even if the business at the County Prison entrusted to the Agent there, were not enough for one person, as it is indeed more than enough.

Into the County Prison comes every person who is to be tried in this County, whatever may be his crime or whatever the penalty to be inflicted. Hither come, every day, scores of people of both sexes. We have seen six scores in one morning, and nearly that number for many successive days — the drunkard, the riotous, the quarrelsome, the thief, the robber, the assassin, the pickpocket and the murderer. Some to depart in twenty-four hours, some to wait a few days, some to stand trial at Court, and some to undergo in the cells the penalty incurred by their offenses and pronounced by the Court. Most of these seem to think that their cases are particular, and they demand the help of the Agent, who has to visit friends, witnesses and prosecutors. Some whose offenses are small, and whose patience is smaller, are clamorous for the services of the Agent to procure their release from the magistrate. All seem to cry out against the action of the officer that arrests or the magistrate that commits. Few admit their guilt. All seem, from their clamor, to regard themselves as persecuted innocents. The Agent has employment with these. Then the tried and the convicted believe that there are alleviating circumstances in their cases, which should influence the Judge in their sentences which he pronounces, and until the termination of the term in which they have been tried and sentenced, many of them think that a reconsideration of their case may be had, and their sentence shortened and lightened. And circumstances have occurred in which the Judge has felt that, without offense to justice, he could show mercy by shortening the time of penalty.

There are *trials* for Judges as well as for laymen, and not among the least, it appears to us, is the necessity of sometimes sentencing to prison the head of a family dependant on the fruits of the labours of the father, mother, or elder son. And the embarrassment is not lessened when a heart-rended mother appeals for mitigation of the righteous judgment upon her son, reared with more affection than discipline, and conducting with more freedom than affection. Alas, the cells of prisoners abound with instances of undisciplined talents and ungrateful children. That regard for parents which soon changes the associate quantities of love and obedience, for those of affection and respect, is not the ingredient of filial feeling, which is discovered in a prison cell. The mother follows her erring, her criminal son, to the place in which he is expiating his offense against society, and listens hopefully to the assurances of intended reform, which assurances she seems to forget have been many times broken. She asks that the judgment of the Court may be arrested, and sometimes she is successful—too often the success of the mother's appeal is only a liberty for the young prisoner to repeat his offenses against society, and renew his cruelty to the heart of the affectionate mother.

The Agent of the Penitentiary has a severe task, which could not be entirely discharged if his heart was not fully in the work. That is not to do exactly what he is told to do, but to seek out the work which the character of his employment suggests, and to pursue that, not merely to some prescribed limits,

not stopping upon the dismissal of the prisoner from his confinement, giving his wants and liabilities no future thought.

The duties of the Penitentiary Agent have the advantage over those of the County Prison Agent. The prisoners of the State have been tried, their cases have been settled by the Court, and the hope of release is founded on the arrival of the day on which their sentences terminate, or perhaps the vague hope, or rather desire, that some influential friend may successfully present their cases to the Board of Pardons. Fortunately for himself and his mission, the Agent can have no part in the efforts to procure a pardon. It would not be pleasant to him as an agent; and it would be diametrically opposite to the instructions he receives as one of the visitors of this Society. He has nothing to do with the effort of getting the convict out of Penitentiary. His business is to prepare him for going out, and to aid him when he goes out—a marked difference between the character of the well-defined labour of the Penitentiary Agent and the multifarious and multitudinous duties of the County Prison Agent. Of the well-performed duties of the Penitentiary Agent, we give a sample, not a statement. We have not space for more than an extract.

REPORT OF AGENT OF EASTERN PENITENTIARY.

To the Editorial Board of the Philadelphia Society for Alleviating the Miseries of Public Prisons : —

GENTLEMEN : — In compliance with your request, I hand you herewith my Report, being a summary of my labours with the prisoners in the Eastern Penitentiary, and clothing, etc., furnished those who were discharged during the year ending December the 12, 1876.

It being (so to speak) my first year, I was necessarily uninitiated and I have therefore had very considerable to learn.

During the past year there have been discharged some two hundred and thirty-nine prisoners. Of this number I have supplied two hundred and sixteen with new clothing and shoes ; as to the balance, their clothing, in most instances, has been in good condition, and did not require an entire new outfit.

Twenty per cent. of the total number discharged have left the City, and in all cases "where the prisoners have requested it," I have taken them to the railroad depots, procured their tickets, and saw them safely started on their way home.

I have endeavored, so far as was possible, to prevail upon the prisoners to leave the City immediately following their release, but the unusual attraction of the Centennial Exhibition caused many to stay who otherwise would have left.

In several instances I have procured situations for them on their discharge, but owing to the great stagnation in business, it has been exceedingly difficult.

I have visited the prisoners in their cells, and have had very many pleasant interviews with them, many promising reform for the future.

From several of those discharged who left the City, I have received letters expressive of their thanks for the kindness shown them. One case of a young man belonging in the City (his

mother dead) went home to his father's to stay until he could get work. Upon his arrival there, he found instead of a pleasant home a drunken father, and his younger brother (twelve years of age) sent to procure more liquor. He interrupted his brother, would not allow him to go, and went to a neighbour's, where they stayed all night. The next morning, having occasion to take a prisoner to the North Penna. Depot, I met them, when the elder brother informed me of his trouble. I procured him a situation in New Jersey, and his brother a situation on a farm in Bucks County. The eldest brother expressed to me his sincere thanks, and I was led to firmly believe that the man would in the future lead an honest and upright life.

Another case of a prisoner discharged some time ago, I feel deserves a passing notice. I met him in West Philadelphia, and inquired of him what he was doing. He told me he had been appointed a detective. He had just returned from a trip along the line of the Pennsylvania Railroad, where he had been sent to investigate the late robberies from the freight cars near Harrisburg. He was so successful that in a little while he procured all the information he desired, and had the perpetrators arrested and brought to justice. I advised him to be careful and keep out of evil company when he told me he hoped by the grace of God to, in the future, be a better man, and thus, in at least a small measure, retrieve for his past acts.

One could almost fill a book with many such incidents, but time will not allow.

During the past year my intercourse with the officers of the Penitentiary has been of the most satisfactory and agreeable nature, and their attention and hearty co-operation with me in my labors deserve and receive my personal thanks.

With the hope that the seed which has been sown in weakness will not prove utterly without reward, and that my administration has proved satisfactory, I am,

Very truly yours,

WILMER W. WALTER,

Agent.

Philadelphia, December 14, 1876.

It will be seen by the statement of Mr. Walter that the duties of Penitentiary Agent do not present a sinecure. He is not indeed called, as is the County Prison-Agent, to procure the release of persons charged with faults, misdemeanours and felonies, and to traverse the City from the magistrates' offices in West Philadelphia to those in the north-eastern portion of our City. But he has to test, by constant watchfulness, the character of the Penitentiary convict, to see what proofs he can gather of hearty repentance, or what prospect there is that the counsel given will be followed, and that the approaching discharge will be used for the benefit of a suffering family, or the security of an injured society. He must judge carefully. He is in some measure the bail of each person who leaves the prison, and in this case he must inquire (and he often does inquire from those at a great distance) the antecedents of the departing convict, and the prospect of his friendly reception among his own kindred and friends, and what are the chances or means of his obtaining employment that shall occupy his time and reward his honest labor. He must have some assurance that the money which he advances to aid the man to reach home, or to acquire a home here, will not be wasted in a course of dissipation that at any time is wicked, and which, in his case, would be infamous.

Mr. Walter is not pecuniarily responsible for his stewardship; that would be unjust and cruel. But he is in some degree morally responsible to the careful and important committee of the Society that has in its power

the visitation of the Eastern Penitentiary. That committee, by its continuance of Mr. Walter in his important situation, shews its entire confidence; and the Society, therefore, represented by that committee, do approve of the labours of the Agent.

We have said little of the direct action of the committee appointed to represent the interests and intentions of the Society in the Eastern Penitentiary and the County Prison.

EASTERN PENITENTIARY.

The Committee for the Eastern Penitentiary hold their regular meetings, every month, at the place where the Acting Committee assemble, and a short time earlier on the same evening; a change of time that has proved decidedly advantageous, as it insures to the Acting Committee the presence of a considerable number of members that are earnest and effectual in their labours. At the monthly meeting of the Committee on the Penitentiary is read the statements of the different members, the number and character of their visits, and such observations as the peculiar circumstances of their clients may suggest. This committee, that once had the privilege of visiting the unfortunate inmate of the cell, and listening to the statement, and giving such advice as circumstance require, have of late been driven to the mortifying expedient of visiting cells with two or three inmates,

and discovering that most of the advances that the earliest occupant had made, in determination to do good, had been jeopardized, if not lost, by the advent of new convicts with plans of crime and their practice fresh in their minds, and with no resolution formed of doing better. More than half the cells of the Eastern Penitentiary have in them an unlawful number of convicts. Nevertheless, something has been done for the inmates of those cells that have their prisoners in separate confinement, and something has been attempted in the crowded cells.

The Committee of the Penitentiary have funds of the Society from which they draw in common with the Committee on the County Prison, to aid discharged convicts, and the report of the Agent, Mr. Walter, shows that the funds are well administered. Besides these funds that are common to both Committees, there is a considerable sum voted by the Legislature of the State, which goes, of course, only to the Committee on the Penitentiary, by whom it has been carefully and advantageously administered. An examination of the accounts of the Committee show that the provision of the Commonwealth, so honorable in the Legislature, has had no direction that was not contemplated in the vote of the Legislature; and every dollar thus far distributed has served a purpose which a hundred dollars could not have fulfilled, if distributed with indiscriminate liberality. It is a great thing to give to the poor and unfortunate; it is a good thing to exercise discrimination in the gift.

The reports of the Penitentiary Committee to the

Acting Committee one highly gratifying, and we add that statements of individuals, of various views and opposing creeds, concur in establishing the opinion that the admirable administration of the Eastern Penitentiary is not impeded by improper interference, but in full concurrence with the action of the members of the Committees of our Society that visit that institution.

COUNTY PRISON.

The Committee of the Society delegated to visit the County Prison, hold a meeting on the Tuesday preceeding the meeting of the Acting Committee (third Thursday,) in each month. A statement of the attempt to discharge their duties as visitors, is made at the meeting and referred to the Acting Committee. We have already given a statement of Mr. Mullen's labours, as Agent. They consist chiefly in settling difference, in releasing by bail, and in directing and aiding the course of the discharged prisoner, whether untried, tried and discharged as not guilty, or tried and declared guilty and having worked out his sentence. The Committee have their work of moral dealing with the prisoners, usually the convict, but not in the way of release, for it is a special command of the Society, that its visiting members abstain entirely from fostering the hopes or aiding the efforts of convicts to obtain pardon. There is another mission, and the moment a convict becomes impressed with

the idea that his visitor is laboring for his pardon, he ceases to profit by moral advice.*

The business of the members of the Acting Committee for the Prison and the Penitentiary, is to advise, to ameliorate the condition and alleviate the sufferings of the prisoners, and for that purpose the Legislature of the State has given to the members of the Committee the high privilege of being "official visitors" to the prisons. The advantages of this privilege are miserably diminished by the crowded state of the cells in the County Prison. It is next to impossible to make any lasting impression upon the minds of bad persons shut up together, with *liberty* (though not right,) to talk together on any subject most familiar to themselves, and to augment in the younger companion that knowledge of crime in which they are inferior to their elders — (it is the knowledge and not the taste in which they are deficient.) Yet to such men in such crowds, are our committee-men compelled to go, and to be mortified with evidence that they have laboured

* Reference is elsewhere made to this rule of the Society in regard to instructing the agents and representatives in prisons touching the matter of pardons. The prohibition of the interference of the members of Acting Committees in their dealings with their clients in prison is positive and full. They must not allow the inmate of the cells to feel that the prisoner's friend is a pardon agent. The miseries of prisons are to be alleviated, and the moral sense of the prisoner is to be relieved. The law of the State allows the person sentenced to one year imprisonment, to gain one month by good conduct, one month for the second year, and two months for the third year. When, as in the County Prison, the sentence is for any time less than a year, the good conduct of the prisoner relieves him from the month additional confinement, which is consequent on his inability to pay the costs, (\$16 75,) of Court. In all cases, under some circumstances, the fine imposed may be taken off. In time, with improvement, other mitigations will follow.

in vain "and spent their strength for nought." No doubt much good has resulted from the labors of our Committee, notwithstanding the adverse circumstances to which we have alluded, which have hindered, but not destroyed, good effects. Some with short sentences have gone out and been helped to go home, not much the worse for their association, and sometimes the better from the good advice they have received. But amid all these painful disabilities for doing good consequent on the unlawful and indecent crowding of men into cells, we are gratified to state that some of the members of the Visiting Committee have, by peculiar circumstances, been enabled to do much good to the unfortunate and guilty by interfering for their interests, so that the physical miseries of the prison have been much alleviated. Many Germans, by misfortune or crime, find their way into the cells. German visitors, familiar with their language and with their circumstances at home, most beneficially interfere. And the same may be said of the few French and Italians who are sent to prison — fewer than the natives of other countries, probably because there are fewer immigrants.

In the female department of the County Prison the number of cell occupants has been most painfully augmented since June last, nearly trebled. The number, however, does not exceed the number of cells. These persons of course are visited by the Committee appointed by the Society. But it is proper to say that a considerable number of pious ladies visit this part of the Prison, and have exercised a most beneficial in-

fluence on the prisoners. Ladies of different religious denominations have access to the cells, and are welcomed by the inmates. No restrictions are placed upon these visitors, excepting what the rules impose, *viz.* : — They are to take nothing in or out of the cells, to or from the prisoners, without permission from the prison authorities. A violation of this rule has in former times led to serious inconveniences, and would now, if discovered, be followed by a request that visits from such persons should cease. It takes a long time for visitors to become acquainted with the exact character of their clients. The regret for conviction and consequent confinement is too often mistaken for regret for the illegal act that called for the punishment. It rarely happens, though sometimes it does, that women can truthfully say that this is their first offense, though the incarceration they are undergoing may be their first imprisonment. And while it is the duty of every true philanthropist, of every representative of this Society, to treat with kindness every prisoner he may visit, to listen with apparent interest to all probable and some improbable statements, of self excuse from the prisoner, it is due to the visitor's mission, it is due to himself, it is due to the true spirit of this Society that he should receive *cum grano salis*, with many grains of salt indeed, these statements; he should remember that the woman before him is probably tainted with all the crimes and vices that disfigure society, and is adding to her violation of the Decalogue, a total disregard of truth. Many women are worth saving who are not worth believing; many

are redeemable who are not yet truthful. It is a neglect of this prudence that misleads our inexperienced visitor ; it is that which causes undeserved sympathy in accidental visitors, and it is that undeserved sympathy, so easily excited, that leads the prisoner to make false statements to her visitor, and excite feelings for one most undeserving of consideration, excepting as a public offender, and against those who have only pursued a course of rectitude and propriety. False sympathy for a prisoner is eminently injustice to the community, and will in time prove to be great injustice to the individual.

Of the great increase in the number of female prisoners, we shall, in another article, speak more at large, but we may here say, that while the House of Correction has a number far superior to that of all the prisoners in the County Jail of both sexes and all colours, there has been the increase of more than two hundred per cent. among the women of the County Prison. Of course, the increase must be greatly of the criminal class—of those who become convicted of felony ; and it is exactly in that class that we look for the largest proportion of our increase.

It is painful to notice the great augmentation of commitments upon charges of most heinous crimes. Several women have been committed to whom was imputed the crime of murder ; several charged with homicide ; and many, we say with deep regret, upon suspicion, and in several cases with ample proof, of the revolting crime of infanticide.

For the year past, as we have already remarked,

there has been less effective visitation on the part of our Committee than usual, especially at the County Prison.*

We may state that the general occupancy of almost all minds with the Centennial celebration served to lessen, not the number of our meetings, but the number of attendants. And the growing habit among our people of vacating their city residences during the warm weather, and seeking summer abodes at a distance, renders it inconvenient, if not impossible, for them to be in the City of evenings, and lessens the attractions of our meetings in warm weather. Yet we are not prepared to say that the zeal of our members is diminished, or that the amount of attempts at usefulness has been lessened. The full success of our prison visitors has been somewhat shortened by the overcrowded cells of Penitentiary and Prison, but the returns of visitors to their respective committees show that there is no abatement of effort, and show that there is an encouraging amount of success.

Our funds are used with economy. We have received at times goodly amounts of money, but with

* The number of visits to the Penitentiary and to the County Prison is great. The reports show zeal and ability, but they do not give a complete statement. The Penitentiary Committee received from its members a statement of some of their visits, and though all are not reported, yet a means of judging of the work is furnished by a partial statement. In the year 1876:—

The whole number of visits (reported) to the Penitentiary was	460
“ “ individual visits	4,461
Special interviews with Prisoners	6,124

The visits to the County Prison average about sixty each month. In some parts of the Prison each inmate is visited more than once a day, while each visit to the male block includes numerous visits to different cells, and more to individual inmates.

a considerate counsel, our Society has allowed only the income of certain amounts to be at the disposal of committees. So, also, is placed the amount of life subscriptions. Each goes into a fund that yields something for the good of the object contemplated in the deposit of the money. Were we to be allowed to spend the principal of certain funds, a zeal to do good would soon exhaust our means without a corresponding benefit.

It is not the great sum distributed, not the large appropriation, that produces the end we seek. The distribution should be, as it is, moderately bestowed, and judiciously applied, "here a little and there a little." The whole sum disposed of at once, would produce rather injury than good. The mountain torrent is turbulent, noisy, and generally ephemeral, wasting, rather than promoting vegetation; while the gentle rivulet, which is fed from the drops that percolate through the filtering rocks of the cave, pursues a constant and increasing course, delighting the eye and enriching the herbage,

"—————That, with a livelier green,
Betrays the secret of its silent course."

It is with pleasure that we notice an increase in the number of our members. There is need of a certain addition to supply the place of those who cease from their labours by removal, by infirmities, by death. We notice with pleasure, also, that many who join the Society, by which they contribute to the pecuniary means of doing good, are willing to be placed upon

the Acting Committee, and thus to contribute to the means of moral good. There is much to induce active membership; the glorious means of doing good is an object worthy of search, and it must be honorable to tread in the pathway, and continue the work of those whose names honour our list of members. We commend our Society to the approval of our fellow citizens, and we commend its labours and objects to the zeal and activity of our fellow members.

NATIONAL CONGRESS.

In seeking to awaken and direct an interest in the subject of prison discipline, the friends of the movement have made great and good use of conventions, which, under different names, have called delegates from Societies, and representatives of Institutions, Counties, States and Nations, into council, in different places in this country and in Europe, and we cannot but hope that great good will flow from these sacrifices on the part of some individuals, and the well directed efforts of talents and zeal on the part of all.

A meeting of the National Society was held in New York, in June last. Of the persons delegated from this Society, as its representatives at that meeting, only E. H. Bonsall attended; subjoined is his report of the proceedings:—

To the Philadelphia Society for Alleviating the Miseries of Public Prisons : —

In pursuance of my appointment as one of the delegates, I attended the "Fourth National Prison Reform Congress," which assembled in the City of New York, at the time designated in the notice given. The first meeting was held on the evening of the sixth of last month. At this meeting but little general business was transacted. In the absence of ex-Governor Seymour, Dr. Henry A. Bellows presided, and delivered an appropriate and interesting address. He was followed by Mayor Wickham, who welcomed the Delegates to the City, and invited them, during their stay, to visit and inspect the various prisons and penal institutions of the City. William Cullen Bryant next made a few appropriate remarks. Next, Richard Vaux spoke on behalf of the Congress, in response to the welcome which had been given by the Mayor.

On the morning of the seventh, Richard Vaux was elected President of the Congress, when it was agreed to hold three sessions daily—morning, afternoon, and evening. A long and interesting paper was read by Frederick H. Wines, of Springfield, Illinois, on "The County Jail System, as at present existing," which he represented to be hopelessly and irremediably bad, both in a sanitary and moral point of view, giving an abundant detail of facts to sustain his position. Some verbal discussion followed, in the course of which several Delegates gave information of important improvements which had been introduced into the penal institutions of the States from which they came. An interesting paper on "What should be the System of Treatment applied to the Inmates of a Female Prison," was then read by the author, Rhoda M. Coffin, Member of the Board of Managers of the "Indiana Female Prison and Girls Reformatory, Richmond, Indiana," (wife of Charles F. Coffin, of Richmond, Indiana,) in which she stated, as her conviction, that women were the only fit persons to have charge of a female prison, and to make the subordinate appointments, etc. "The treatment of the prisoners should depend on the object we have in view. If *punishment* be

"the prime object, then, the more severe the treatment, the more uncomfortable the position, the more completely we can surround them with everything that is loathsome, the sooner will the object be accomplished, and when her time is expired, she will be again thrown upon society as a moral cancer, with her evil tendencies intensified, and her powers of evil greatly increased. If *reformation*, then all the means should be used that will tend to elevate, mould the character, and strengthen that part of her better nature, her womanly powers," etc.

In the afternoon, a paper was read by ex-Governor Haines, of New Jersey, affirming the constitutionality of the commitment to reformatories of juvenile delinquents. One by Charles L. Brace, of New York, on the subject of the sufficiency of the public schools, juvenile asylums, protectories, and reformatories, to meet the wants of society, with respect to neglected, destitute, and exposed children, etc. Mary E. Rockwell, Assistant Superintendent of the Female Reformatory at Middletown, Connecticut, read a very interesting and judicious paper on the modes of committing children to industrial and reformatory schools, and their general management thereafter. This paper contained many important suggestions, and was listened to with much interest and general approval.

In the evening, ——— Clark, of Vermont, read a very *temperate* and candid paper on the subject of capital punishment, in which he favored its being abolished. This occasioned some discussion, including some very *intemperate* denunciatory remarks from Dr. S. Irenæus Prime, of New York.

In the morning session of the eighth, two papers on the organization and management of reform schools were read — one by Marcus Ames, ex-Superintendent of the State Industrial Reform School, at Lancaster, Massachusetts; and the other by Henry A. Monfort, of Cincinnati, Ohio. These papers expressed views somewhat differing from each other, and elicited considerable discussion.

In the afternoon session some important resolutions were adopted, one of them being in favor of using exertions to secure

the complete success of the approaching International Prison Reform Congress, to be held in Stockholm, Sweden, in August, 1877. These were succeeded by the reading, by their authors, of several interesting papers, one of them, by Chief Justice Daly, of New York, "On the Relation of Insanity to Crime." He narrated several cases of much interest in this connection, which had come under his official notice, where persons on trial had been acquitted on the plea of insanity, where there is every reason to believe no insanity existed; and others, where proceedings had been instituted to establish the lunacy of individuals, but for a long time, after a most searching examination, no evidence of insanity could be discovered, till finally, on some secret spring being touched, it suddenly became clearly and fully developed. He made some very judicious suggestions as to the proper course to be pursued in such cases.

In the evening session, several papers were read: — One by Richard Vaux, on "What should be the Discipline of the Prison in general and the Convict inside the Penitentiary?" Another, on prison system, by James Freeman Clarke, of Boston; and a third, by Z. R. Brockaway, of Elmira, New York, on the classification of prisoners, which was very favourably received, and considered to be of much practicable value.

In the morning session of the ninth, a paper on the "Jury System" was read, by E. C. Seaman, in which the author held that unanimity on a verdict should not be required of a jury, and the qualifications of a juror should be much higher than they now are. Several other papers were read, *viz.*: — On "Criminal Procedure; "Habitual Criminals;" "Imprisonment of Witnesses;" "Discharge of Prisoners;" "Station Houses and Lock Ups;" etc. The paper on "Habitual Criminals," by Judge Robert C. Pittman, of Massachusetts, was particularly valuable in its suggestions.

At the evening session, an instructive paper was read by Samuel Allison, of the State Reform School for Boys, at Yardleyville, New Jersey, on "What Branches of Learning should be Taught in "Reform Schools," etc. Some other papers were read, and after some verbal discussion, the Congress, late in the evening, adjourned *sine die*.

The meetings were all very small, evidencing that interest in the matters which brought us together occupied but a small space in the public mind. About one hundred and twenty-five Delegates from twenty-four States of the Union, and two or three foreigners, were supposed to have attended to their appointment, but the entire average number of persons in attendance at the meetings, Delegates and non-Delegates, did not probably exceed one hundred, and was generally much less;—and this in Steinway Hall, calculated to seat twelve hundred, or more.

E. H. BONSALL.

Seventh Mo., 1876.

INTERNATIONAL CONGRESS.

The International Congress on Penal and Reformatory Institutions, will be held this year, (1877,) in Stockholm, (Sweden,) in the month of August. As is usual in such cases, subjects for discussion have been handed to various individuals and parties, with the view of having them presented at the Congress. These questions or themes have been presented for consideration to gentlemen known to be conversant with the various phases of Penology. In two of these questions we have a deep interest, from their character, and from our knowledge of the persons to whom they are presented.

First. — Should the cellular (or separate) system undergo certain modifications, according to the nationality, the social condition, and the sex of convicts?

Second. — Ought the duration of complete isolation to be determined by law? May the administration of

prisons admit of any exception except in cases of sickness?

The first of these questions is referred to Messrs. Bauer and Vaux.

The second to Messrs. Stevens and Vaux.

Of Mr. Bauer we are unable to speak from personal knowledge. Mr. Vaux is our townsman. Richard Vaux, formally Mayor of the City of Philadelphia, and for more than thirty years one of the Inspectors of the Eastern Penitentiary in this City, distinguished by his regulated zeal in the cause of true prison management and as an unanswerable advocate of the separate or individual system of confinement. Connected with Mr. Vaux, in the second query, is Mr. Stevens, long connected with, and at the head of, the administration of prisons in Belgium, and one of the most earnest advocates of the separate system; his early views strengthened by long connection with the practice of prison government.

Mr. Vaux is of course not going to limit his response to the exact extent of the queries propounded; there are modifications of a system, and he will show, of course, how far such modifications may interfere with the integrity of the system, which he is bound by principle to defend, and which he will boldly assert, while at the same time he, with all practical friends of the cellular system, admits that there must be some modification resulting from the moral and physical character of the convict, and suggested also by circumstances anterior to his conviction.

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We are glad to state that Mr. Vaux is to be the representative of the interest connected with the administration of prisons on the separate system. He is able and willing, and he has experience, direct and enlightening, which makes him master of the subject, and has also the confidence of the advocates of the separate system.

That system has no more earnest or able advocate than Mr. Vaux. We have more than once confessed obligations to him for clear exposition and triumphant defense of the system. We notice that the first question propounded for Mr. Vaux's discussion, regards modification. We recognize in the general view, a ready admittance of the propriety of modification, but we also comprehend the general views so far as to believe that the modification of treatment only concerns the individual, nor is it frequently necessary that it should be often admitted. A change in any case from individual to congregate treatment would be a relinquishment, *quoad hoc*, rather than a modification.

We may expect that in his essay, to be presented to the International Congress at Stockholm, Mr. Vaux will present opinions upon matters presenting themselves, in such an exhaustive view of the subjects, as he is able to present, upon which, as yet, we have not felt called on to give views. Mr. Vaux is firm in his opinions of the superiority of the cellular system. We may be sure that his views of minor questions of administration will always be in conformity with that system.

OBITUARY.

It is not in the nature of things that a society, such as we represent, should be without cause to lament the loss by death of some of its members. We are annually called upon to record the affliction of friends and the grief of companions, arising out of the demise of some who have endeared themselves to the Society by actual personal service; or by an approval of our work, by contributions of means which have been serviceable to the objects for which we directly labour. It is to be regretted that often we miss from our ranks members who have entered upon the work from a desire to do good, and who had increased their abilities for usefulness by a constant and undisturbed practice of the rules of the Society for carrying on its work. Such a loss was brought to the hearing of the Acting Committee, a few months since, by the formal and feeling notice of the death of

JAMES E. KAIGHN,

who had distinguished himself by his constant labour in the good work of alleviating the miseries of prisons, and who was no less noticeable by his modest evasion of all special reference to his usefulness.

Mr. Kaighn's death was affectionately and appreciatively announced by his fellow labourer, ALFRED H. LOVE, who closed his pertinent remarks by offering a memorial, which was unanimously received as embodying the feelings and wishes of the Society.

MEMORIAL.

The record of the decease of one of our body, is never unattended with feelings of sadness. But where we have worked side by side, through a long term of years, in harmony and sympathy, for the welfare of the misguided and depraved ones who have lost their way, the removal of a co-laborer is more than sad. We not only miss his company and co-operation, but we revert to the prisoner who looks anxiously for the accustomed visit, and we feel for his loss as well as our own.

In this record of our good friend and late fellow member, death brings forth the life, and we see him, not as one who has ceased his earthly labor, but as the same untiring, unobtrusive and sincere worker that he ever was, and whose deeds were greater than his words.

He exemplified in a remarkable manner, the beautiful Christian virtue: —“Blessed are the meek, for they shall inherit the earth.”

The force of James E. Kaighn was in kindly and quietly counselling the prisoners from the very love and power of the rights to lead a better life; and in performing his allotted trusts with promptness and fidelity.

Although we have been saddened by his death, we have been enriched by his life, and in it we can recognize more clearly than ever, that it was —“A light whereby every man profiteth.”

The usual order was made for adopting and recording the memorial, and conveying to friends of the respected deceased a copy of the proceedings.

This Society feels of course a special attachment to those who labor personally in the direction or furtherance of its great objects, and whose presence and participation cheer them in the formal and periodical meetings of the Committee and Society, and it seeks to do honour for the sake of the living to those who

cease from such labour only when they cease to have the physical power of being useful. Praise of the departed, honour to the memory of the dead, are obligations of gratitude; they are duties which are owed to the cause of virtue, and when discharged become stimulants to the living.

The Society is often called to strike from its roll the names of members, who not having been placed on the list of the Acting Committee, which is quite limited, have less opportunity of exercising their feeling of philanthropy by direct action. They visit the meetings of the Society, and take interest in the proceedings, and thus encourage others. They contribute to the funds of the Society, and thus strengthen the hands of the visiting members of the Acting Committee. Such members are useful; unfortunately such members are called away; they cease from doing good, and only the memory of their usefulness remains.

JOSEPH H. ROACH.

In May last, a useful and respected member of the Society was lost to us by death. Mr. Joseph H. Roach made careful inquiry into the objects of this Society, and made himself acquainted with its modes of procedure, and the probabilities of its great usefulness. His inquiries removed from his mind some of the misconceptions which had been promoted by the misrepresentations of others, and, satisfied that the object was worthy of approval, and the means such as commended themselves to his ripe judgment, he became a life-

member. His business pursuits, and his residence, (part of the year out of the State,) were causes for his non-participation in the labour of the Acting Committee. He always professed a deep interest in the work of the Society, and modestly forbore the contribution of his opinions in relation to proposed measures, which he was willing to promote by pecuniary contribution.

The benevolent spirit of our founders was in Mr. Roach, and the Society is honoured by the approval and assistance of men of worth, as it is justified in publicly recording an estimate of their merits, and a sense of its own loss in their death. We hope our Society will have the benefit of other members of ability to aid its work, even though not always to aid in it; to assist, by the reflection of a good fame, in the work, and a public concurrence in the action of our committees. Some of our members make most valuable use of their means and talents in behalf of the prisoners to whom they are commissioned by the Society. Others encourage by their presence our quarterly meetings, and assist by their contribution the means of doing good. Some serve us by prompt and useful activity:—

“Some, waiting, serve.”

ALBERT C. ROWLAND.

At a stated meeting of the Acting Committee, held Fifth Month, 18th, 1876, the following resolutions were received from the Committee on the Penitentiary:—

At a stated meeting of the Committee on the Eastern Penitentiary, held Fifth Month, 18th, 1876, the following resolutions in regard to the death of our late member, Albert G. Rowland, were offered by the Rev. Charles S. Diver, and directed to be forwarded to the Acting Committee : —

WHEREAS : — In the providence of God, our fellow-laborer, Albert G. Rowland, has been removed from us by the hand of death : —

Resolved : — That we deem it proper to express our sorrow for the loss of one who has for many years been diligent in the good work of visiting the inmates of the cells at the Eastern State Penitentiary, and by whose instrumentality many, we hope, have been led to an amendment of life, and to paths of virtue.

Resolved : — That we bear our testimony to the excellence of his character, and his Christian devotion, even when enfeebled health and strength would have been a sufficient reason for suspending his labors of love.

Resolved : — That we are assured that the many who through the years past have shared and appreciated his labors of faith and love, will be deeply touched by sadness and sympathy when they learn of his death.

Resolved : — That a committee be appointed to bear our expressions of sympathy to the widow and family of our departed friend and brother.

The Resolutions forwarded from the Committee on Eastern Penitentiary, in regard to the death of our late brother, Albert G. Rowland, were approved, and the officers of this meeting were directed to sign and forward the same to the family of the deceased.

Extracted from the minutes.

JOHN J. LYTLE,

Secretary.

It is gratifying that the labours and motives of one so highly esteemed among his associates of our Society, are justly and highly appreciated by the good and philanthropic of other associations. To appreciate the worth of the departed good, is evidence of good in the living. From — “A sermon, commemorative of the life and character of the late Albert G. Rowland,” delivered in the Spring Garden Presbyterian Church, by Rev. Charles Collins, we extract the following: —

“In January, 1862, Mr. Rowland was elected a member of the ‘Acting Committee of the Prison Society.’ For nearly fourteen years, he cheerfully and assiduously pursued the self-denying work of visiting the inmates of the Eastern Penitentiary; and continued even to do so, when enfeebled health, and increasing debility, admonished him to desist from such labors. His words of sympathy and warm-hearted prayers, have ceased; but not until very many were by his instrumentality reformed and restored to virtuous paths. Some live and still remain within the dreary cell, and are saddened by the realization of the fact, that the friendly countenance and loving smile of their devoted friend, Mr. Rowland, will greet them no more upon earth.”

The whole sermon is a beautiful and deserved tribute to the memory of a Christian philanthropist.

FOREIGN RELATIONS.

We have usually drawn largely from "Reports" of prisons in Europe, and last year we made careful extracts from European reports relative to diet and to the character of sentences. We have this year very little to say on subjects relating directly to foreign prisons. The Reports, of which we receive a considerable number, are not from societies like ours, furnishing us with additional light as to our duties, or trying to alleviate the miseries of public prisons; they are the reports of the conduct of public prisons, the number of inmates, the mode of employing, and the manner and cost of supplying, them with food, clothes, and discipline. This information, though we have, from time to time, tried to utilize it for our readers, is rather for the "inspectors" and officers of our prisons. So far as we can judge, the tendency of change in public opinion abroad on the subject of modes of prison administration is towards the cellular system, which has obtained in a few kingdoms, and is manifesting itself in many others. Time is *then* in its favor, when long experience has shown the error of the idea of profit from convict labour.

We notice that in the plans of new prisons presented in some countries, in Italy especially, the cellular system is adopted, though a want of acquaintance with the *minutiae* of the system has permitted cells, for separate confinement, without all the appliances that should be deemed necessary.

In reference to *work* in separate confinement, we

know that some prisons have cells into which the work of many branches of business may be introduced — shoemaking, turning, silver work, etc.

We have already stated that the prisons abroad have the advantage in the way of discipline and order, in the habits of respect and obedience common to a certain class abroad, and perhaps, also, in the character of many who are called by appointment, or otherwise, to look into the administration of the prisons.

VICTORIA.

We have received "The First Annual Report of the Victorian Discharged Prisoners' Aid Society," and it is highly gratifying to note with what an intelligent zeal the good work of alleviating the miseries of prisons, as conducted in that (to us) remote corner of the earth, is carried on, and mainly by individual liberality. There seems to be no Government aid, but corporations, city councils, banking institutions, and commercial associations, assist the work with liberality; and the Society maintains an agent.

We notice some remarks in the preface to the report, *viz* : —

"When criminals are insubordinate, they ought to be subjected to order; if indolent, they ought to be made to work; if talkative, silence ought to be enforced; if gregarious, they ought to be separated.

With reference to the particular work of the Society, the report says : —

"The reformation of criminals is only begun during their sentence, and it is only when set at liberty, and freed from restraint, that their fair promises are tested."

The Society recognize that their responsibility with regard to criminals does not conclude with the expiration of the sentence.

CONCLUSION.

We close here what may be considered a statement of the proceedings of our Society for the past year, though not the whole contents of our Journal. That which requires and receives the attestation of the President and Secretary of the Society is rather to be regarded as a presentation of facts, of the labour of the past year, not, indeed, without a mingling of opinions, but of opinions so well understood as belonging to the Society, and identical with the views that have been held, promulgated, and acted on, for very many years.

In the succeeding portions of the Journal are papers containing statements and opinions which certainly would not have been inserted there, had it been supposed that they were not in full accordance with the general views of the officers and active members of the Society, but which it was not thought necessary to signalize by the names of the officers usually appended to the annual record.

In another part of the Journal will be found the statement of the Treasurer of the Society. The report has been submitted to the careful inspection, analysis, and comparison, with vouchers, by a committee; not to settle doubts, but to fulfill our laws. We have, we think, no member that would not rather enhance the amount of money in the treasury, than profit by a dollar mal-appropriated; but we ourselves, as a Society, hold in some measure a fiduciary place; many liberal citizens have added to our fund — some with special, and some with more general, objects; the State of Pennsylvania has from time to time made the Society her almoner; none will have thought it not enough to know that these funds, and all other sums, submitted to our Society, have taken the direction intimated by the donors, but it has seemed just to the donors and to ourselves, to make known the exact uses to which the same had been applied, and to make such examination of accounts as will enable the Society to proclaim the fulfillment of the donors' directions.

We think it proper to state explicitly, that the liberal contributions of the State to our funds for the use of convicts discharged from the Eastern Penitentiary, have never been used for any purpose but that implied in the grant. We have needed some for prisoners discharged from the County Prison, but not a cent has been diverted from the uses designated by the Legislature of the State. We feel called to make this statement with emphasis, not because we think that the opposite has been asserted, or even suspected, but be-

cause we would not have the integrity of our Society called in question, or the fountain from whence some of the streamlets of charity flow, dried up or diminished.

The Society continues its work of philanthropy with the same spirit which actuated its founders; circumstances may for a time place hindrance to its progress, and to its efforts at securing alleviation of miseries, and lessening the amount of vice and crime which produce and perpetuate that misery. We have already said that a considerable number of persons have of late connected themselves with the Society. But it is to be added that some of them fill the places vacated by death. Others are familiarizing themselves with the action of our Society in the regulation of its own affairs, and of the government; what as a corporation it requires, that they may fill with additional zeal and prudence the places from which their elders are fast receding. Advancing time admonishes that the places that now know them shall, ere long, know them no more. We need the continued additional names, and an increase of fiscal means, and these we hope will follow upon an enlarged acquaintance which the community is acquiring of our plans and operations.

The interests of this Society are renewedly committed to the fostering protection of a Providence that guided and sustained its earliest direction, and confidence is felt that success will continue to reward the efforts of the active members; and that good wishes and the giving of liberal contributions to its means, will continue while the Society shall retain its chastened zeal and

direct its efforts constantly in the path prescribed by its founders; not to lessen its influence with others by excessive zeal, nor to diminish its self respect, by relaxation of interest in the cause of humanity.

JAMES J. BARCLAY,
President.

Attest—

JOHN J. LYTLE,
Secretary.

Philadelphia, January 1, 1877.

PART II.

PRESENTATION OF VARIOUS SUBJECTS CON-
NECTED WITH THE OBJECTS OF
THE SOCIETY.

JOURNAL.

PART II.

PRESENTATION OF VARIOUS SUBJECTS CONNECTED WITH THE OBJECTS OF THE SOCIETY.

IN the first part of our Journal, this year, we present a report of proceedings and of matters that relate to the transactions of the Society proper, and of its Acting Committee.

In the second part, opinions are advanced to which the Society itself is not bound, nor are its members, but the subjects discussed are those that seem to command consideration, and will in time be deemed of importance sufficient for some decision by established authority. A statement is made with reference to the International Celebration of our Country's independence. It is impossible for those who feel a deep interest, and take action on penal questions, to overlook the influence of any important public movement

upon the development of social science. The effect of the celebration was all (and more) of good than was promised by its founders, or anticipated by its most sanguine friends.

CENTENNIAL INTERNATIONAL EXHIBITION.

I called thee Nile, the parallel will stand ;
Thy tides of wealth o'erflow the fattened land ;
Yet monsters in thy huge embrace we find,
Engendered in the slime thou leav'st behind.

We have a few remarks to make upon the great International Exhibition, which distinguished our City last year, and made specially observable the centennial of our national existence, and yet not a paper, not a periodical, has allowed the event to pass without minute and extensive record ; and publications have been made to secure special consideration of an exhibition which, though apparently a continuation of those of London, Paris and Vienna, so far exceeded its predecessors as to be regarded unique in its kind, and a sort of *ultima thula* in the way of international expositions. The natural productions of various parts of the earth were such as had never before been congregated, never before been placed in juxtaposition, to insure comparison and excite astonishment. Never was there, never could there have been, such a contribution of art. The collection was made with wonderful judgment, and was combined with an amount of skill that was equal to the great work, superior to all anticipations.

"Carpere et Collegere." With such a combination of such wonderful materials, and such a display of national specialties, and such an exhibition of instructed genius, it is not strange that the people, not of our City alone, but the people of this and of other nations should flock with unfailing curiosity to the scene of display, and the gratification of that curiosity should so stimulate the taste that one visit to the wonders should suggest the almost unconquered, and what is more, the unconquerable, desire to make the Exhibition an end of daily pursuit. The uses of this Exhibition as a means of improvement, enlarged social intercourse, and as inciting to active rivalry, are understood, and its benefit in that direction will be extensively felt.

But some of our readers may ask, what has all this to do with prison discipline? How is "The Society for Alleviating the Miseries of Public Prisons" at all connected with an International Exhibition, in which there was no sample of prisons presented, of this country or from other countries, nor any development of the system of prison discipline as established or advocated in this or other countries. Just in that form, supposing the Exhibition is to be judged by what it presented, we do not know that it had much relation with public prisons, especially as there was in no part of the grounds any sample of prison labour, nor was there any building or device to denote the progress of prison structure abroad, or any treatise to show the advantage of any system of prison administration and prison discipline. But we find results which commend

themselves for our notice, and which, from their importance, ask the consideration of the professors and expounders of social science. We have said that there was on the Exhibition grounds no specimens of prison structure nor of prison labour. But we may add that many foreign commissioners and visitors to our City manifested a warm interest in subjects of prison structure, prison system, and prison administration, and used the opportunity, which their temporary residence here afforded, to enquire into the whole subject, and especially into what has been considered a specialty of Eastern Pennsylvania, *viz.*, "Separate Confinement."

Be it said with mortification, that the County Prison, whose restrained inmates are required to be *alone* in their cells, as well the untried as the convicted, shows such a departure from the laws of the State, and the sentences of the Court, as to present the appalling spectacle of three, and in some cases four, prisoners in one cell—a cell of dimensions planned and constructed for *one* person alone; and in the Eastern (State) Penitentiary nearly, or quite, half of the cells are occupied by two convicts, "against the provisions "of the laws of the State, and the peace and dignity of "the same." It is unlawful, and most unseemly and unjust thus to crowd the cells of the County Prison, but it is infinitely worse thus to violate the law in the State Prison, and visitors from abroad look more astonished at the abnormal condition of the Penitentiary, whose separate *theory* gave authority in Germany for calling one of their large prisons "The

"Eastern Penitentiary," because it was intended that it should be what the Eastern Penitentiary of Pennsylvania was then practically, and what it is *now* theoretically. If the name of the German *separate* prison still exists, it will be a proper deference to existing facts to call it *Belgique*, as Belgium has had courage to pass a law for the separate confinement of convicts, patience to test the effect of that species of punishment, and justice to declare the experiment entirely successful. We have to lament that the friends of prison discipline who visit us from abroad have little more to say than, that considering the crowded state of our Penitentiary and Prison they are kept in good order. So far, then, the Centennial does not afford means of presenting proper specimens of the special personal dealing with convicts which is supposed in the law providing for that form of prison discipline.

That the Exhibition, by bringing together various products of civilized nations, has provided means for a full comparison we admit,—all must admit,—and that such a comparison will tend to stimulate genius and industry is certain. The truly wonderful presentation of the works of nature and art has exceeded that of any former International Exhibition, and is thus an occasion for felicitation, perhaps of exultation; and immense sums of money have been expended in the various parts of preparation and continuance of the Exhibition, and thousands have profited thereby.

And we may not doubt that kind feelings have been engendered by association, and that many who visited

our country with vague ideas of our condition and character have returned, taking with them memories of prejudices removed and friendships formed. Hundreds abroad will cherish recollections of kindness, and hold in high estimation the friendships formed in their official position. All this is good, though only a small part of the good insured by the Exhibition.

But there is one phase of evil not peculiar to the Centennial, but arising out of that celebration as it would have arisen out of any other large convocation of people of mixed characters. We allude to the attraction from almost all parts—as well of our own country, as of Europe,—of a class who live by preying on society, and some of whom die by attempts to prey on individuals.

“Where the carcass is, there will be gathered together the eagles,”

and where people go to gratify a laudable curiosity, and where they find enough to absorb all attention, thither will flock the vultures of our race; and every species of art to decoy, to deceive, to defraud, to rob, the unsuspecting will be employed; and sometimes those arts extend even to the taking of life, when life stands betwixt the assailant and the assailed. Some of the papers express an idea that very little of that kind of fraud and violence has marked the history of the Exhibition. Certainly, within the enclosure, while the most marvelous order was maintained, there was but very little of theft carried on or dangerous deception practised. For which, undoubtedly, the management of the Exhibition deserve the highest credit.

Ladies unattended visited, day by day, the grounds and buildings, and found an escort quite unnecessary.

But while some small crimes and some misdemeanors were detected within the enclosure and treated with a strictness that gave little encouragement to repetition, it is certain that in the immediate vicinity vice and crime were practised to a mournful extent. We do not mean to say that the vice and the crime were not less than they would have been in any other place, almost in the world, where such a gathering was possible; but we do say that the Exhibition was the occasion for gathering bad men and bad women from almost all parts. We are not prepared to say to what extent the evil reached. But we may say that, on inquiring at the County Prison, we found that the number of commitments was quite doubled, and especially of men. Nor were the commitments of women unaffected by the circumstances. On the first of May there were fifty inmates of the female department, counting all, from the drunkard to the homicide, while by the middle of August the number was increased to nearly one hundred. A considerable portion of the offenses charged, and some of the worst of them, were committed near the Centennial grounds, or were the result of visits to improper parts of the City by persons who should have spent their time and money in different places and upon different objects.

We are not to be regarded as opposed to the Centennial celebration, nor supposed to be ignorant of, or indifferent to, the advantages resulting therefrom —

advantages pecuniary, social, artistic, and, perhaps, political.

The introduction of such a wonderful variety of manufactured articles, from other parts of the world, resulted profitably to trade, and the same opportunity was afforded and used to present the wonderful productions of nature and of art from the extremes of our country ; and at the same time opportunity was used for making known the capabilities of our States. From these opportunities and the uses which they suggested we can not doubt that pecuniary benefit has resulted, not only to the people of this vicinity, but to the citizens at large throughout this country.

Undoubtedly, great advantages will be derived from the exposition of the various productions of the arts and artisans of this and other countries. Especially will our handy workers be stimulated to new exertions in their respective arts, so that they may successfully compete with their brother artisans in other parts of the world. Visitors of observation, men capable of collecting and combining facts from which they are to form theories, will scarcely have failed of profitable speculation on the political condition of the country and its merits, positive as they are, or comparative in relation to the institutions with which they are connected. The advocate of monarchy may not find our institutions the best, but he will scarcely fail to see something in the institutions of the country, and something arising out of them, that may, in continuation, favorably modify the rule of his own country.

Perhaps, in the impressions made by visitors, some

of our people may acquire ideas of social intercourse a little different from what they entertained. They may see that rational liberty is not dependent upon extraordinary professions, and that individual rights are not made more regardful by a constant demand for respect. Perhaps some of those who visited us may be startled at the comparative enjoyment in which they found persons of their own pursuit; presenting the appearance of enjoyment; and they may have learned that almost all that renders life enjoyable, almost all that is anticipated from domestic association, is found among our people of their own *caste*, and which a little thought and a little sacrifice would ensure to themselves. We think, then, that artisans who visited the great Centennial Exhibition, will have taken home with them the plain idea that our people derive more enjoyment *from* the exercise of their various pursuits than do the visitors when at home; and they will probably gather the opinion that our people have less enjoyment *in* their various pursuits than do they who inhabit older countries. Ideas of social and of domestic life are likely to have been exchanged and discussed among residents and visitors. *We* may profit by the interchange of opinion, and *they* may gain by what they saw and heard. In both cases, our people will have derived a pleasure in receiving the good which these visitors impart, and will have no less pleasure in the confidence that they have been doing good to others.

We have, in this article, noticed some of the evil effects, and many of the good results, of the late

Centennial Exhibition. The good results will exceed — they have already exceeded — the expectations formed upon the representations of the gentlemen who first took up the idea of such a celebration of our hundredth *birth*-year, and the benefits that result, are not only great, but they are permanent and cumulative, and we doubt not that another Centennial celebration will confess its indebtedness to the one that has just passed for the idea of Centennial celebrations, and for most of what shall render that of 1976 as much superior to that of 1876, as the Grand Fair of 1876 was superior to that of 1776 — IF POSSIBLE. But the country must go on, not only in increasing and improving the products of manufacture, agriculture and the arts, but also in increasing and improving the product of men to create and direct the Exhibition — *if possible*.

We have said that vice was increased, as an incident of the Exhibition. Perhaps that is an error. The vicious and the crime class were increased in Philadelphia, not so much by creation of new members of that class, as by gathering to the place from all parts of the States, and from other countries, the vicious and the criminal. It is true that not all who were detected in crime at the Exhibition grounds, or prominent in vice in the vicinity, were new to our City, or were born and educated beyond its limits; but it is true that the leaders, in acts and pursuits whose detection filled the prison cells, or emptied careless visitors' pockets, were not of us. They led in the vice, and they planned and directed in the crime, but many of

them, with an art that is part of the acquisition and qualification of their business, contrived to escape with the pecuniary profits, and leave their disciples to the consequences. The vicious and the crime class of Philadelphia have acquired skill and increased in numbers, in consequence of the size and attractions of the Exhibition. Within the gates, skilled crime found employment, and sometimes profit. The pockets of visitors could be rifled, or the deposits of contributors stolen. Evidently no day was passed without some attempt, and often the attempt met with success. And beyond the enclosure, the village that sprung up, whilst it contained grand hotels for Centennial visitors, was enlarged by small buildings that, under various names, ministered to vice and crime; and the magistrate of the ground, though of enlarged experience, found his docket made plethoric by cases that seemed to belong to decaying society. It cannot be doubted, we suppose, that persons of both sexes, who came within the bad influences of the Exhibition, escaped its good influences by too easily yielding to the persuasion and enticement of those who were congregated for no other purpose than that of profiting by the weakness of others and the wickedness of themselves. The inexperienced stranger, who indeed suspected the object of the wiles which he saw practised against him, but had little suspicion of his own weakness, fell a victim, when he only waited for amusement; and, in seeking to regain his money, lost his character, or only saved that, by relinquishing the less valuable. Per-

haps, in many instances, such a loss was the price of a valuable lesson, as well as much inconvenience and some mortification.

That the vicinity of the Exhibition was made disagreeable by buildings and occupations, amusements and proceedings, exceedingly at variance with the great object of the festival, and wholly opposed to the quiet and orderly habits of our citizens is most true. It is true, also, that those who had the direction of the celebration felt the inappropriateness of such places and such proceedings, and we are happy to add that it is no less true that the authorities of the City proceeded with a strong hand and an outstretched arm to abate the nuisance, and when the admirable straightforward movement of the Mayor of the City was arrested by a question of legal authority, the authority of one of the Judges of the County Court was successfully invoked and promptly exerted, and the action of the Grand Jury and the decision of the Judge assured the authority, as it legalized the action, of the Mayor, and the evil was abated.

We find no pleasure in making these statements, but will, while expressing our admiration of the plan of the celebration, the wonderful administration of its affairs, and the entire, marvellous, success of the whole festival, and acknowledging the advantages resulting from such a celebration of our Centennial, show that, when such multitudes are collected together even for the best purposes, "Satan comes also." Then, it is, the criminal class is awakened to the opportunity of "profitable exercise of their talent," and vice and

crime find objects and disciples, and they practise and teach. Virtue is often presented by theoretical lessons ; the teachers of vice and crime are always practical.

Could the sufferings of some individuals and some families be known, resulting from pilfering at the Centennial Exhibition, people would almost sympathize even with the offenders. The amount taken was seldom large, but the public disclosure of the crime, and the public arraignment of the criminal reached with painful influence to the feelings of those who by relationship or ordinary association had a friendship with the culprit. We had jotted down a few cases for special notice, but a review of the subject leads us to believe that a statement of the mental sufferings of the arrested would be rather painful than profitable to our readers, and some of the cases presented such a departure from honesty on the part of persons thitherto deemed exemplary, honest, and of unsuspected virtue, that we could scarcely avoid a description that would more pain the respectable friends of the offender than it would benefit the reader. We have already said, as it could scarcely be supposed otherwise, that we recognize the great public benefits that are to result from the grand display at Fairmount Park. We feel, as is said by all writers, that while profitable emulation has been ensured among artists, artisans, and business men of all classes, by our "Centennial," an emulation that must be productive of great good in the products and exchanges of people of all countries interested in the International Expositi-

tion, there has been improved opportunities for drawing closer the band of friendship between our nation and many others,—bands that do not unite nations alone, but thousands of individuals who constitute those nations. Men will be less indifferent as to misunderstandings between Governments when so many in one country have formed friendly association with so many in another. The “Solidarity of peoples” was a great word with the Hungarian patriot, but only a few comprehend the capabilities of such words. They mean something more than a union of the inhabitants of different nations to change the form and persons of government. They indicate an association of number and talent, and insure a union of affection. Association in practical peaceful matters is a Congress at which our nation has assisted and presided, and she will reap the physical fruit resulting from improvement of her products, and in the sentiment of peace and order which that Congress created and will perpetuate.

We may now repeat that it has afforded us much gratification to learn that many of the foreign delegates to the Centennial Exposition availed themselves of the opportunity offered to acquire some knowledge of the prisons of this country—of the buildings, and the administration, and the laws relating to them. And we find in that a gratifying evidence that the great subject of Penology is occupying the public mind abroad in almost every part of the world. We have to regret that our beautiful theory is now unsustained by practice, and that “the poverty, not the will”

of some divisions of the country has consented to a continuance of the unlawful treatment of prisoners, by which the benefits of the separate system is lost, and the advantages of the congregate plan, if it has any advantages, are not obtained. The representatives of nations in Europe, who have examined some of our systems and some of our practices, will return to their own country satisfied that systems are either good or bad, accordingly as they are administered. They will confess, perhaps, that in their pathways of usefulness and honor they have followed some who profit by all large assemblages to pursue a calling that is infamous in its injustice and terrible in the amount of wickedness to which it gives rise; calling into exercise talents already dedicated to crime; awakening a dormant principle of mischief that would, perhaps, never have been developed but from such associations on such an occasion.

Among the objects for exultation and praise at the Exhibition was, *first*: — The great Exhibition itself, and, *second*: — The admirable order, peace, and quiet that reigned in all the immense enclosure. These things will be remembered by all who had power and time to view the Exhibition profitably, and the press will transmit to future generations a record of one of the greatest exhibitions the world ever saw.

INSANITY.

CRIMINAL INSANE.

It seems scarcely appropriate to send forth our Prison Journal, containing, as it usually does, notices and opinions of various subjects that are closely connected with prison discipline, and which include means of alleviating the miseries of public prisons, without some observations upon the criminal insane. Strange as it would appear to those who have never watched closely the movements of primary justice, or the course pursued in the disposition of prisoners after they are placed beyond the observation of society in general, the man evidently insane, declared insane by a sworn jury, and, on account of that insanity, declared "not guilty" of an act of homicide, which he really committed, is placed in a cell in the public prisons of the State, and held there, with all the restrictions which belong to a convicted criminal, and yet failing in all the attentions which are bestowed upon a criminal, with hope of making him better. The Legislature of this State has spent large sums of money in providing asylums for the insane, and the administration of those asylums has usually been creditable to the skill and humanity of their conductors; but the provisions of the law-makers have been unequal to the wants of the State, and the great cry which formerly led to the establishment of these hospitals for the insane, has of late been renewed, in consequence of the exclusion of the

"criminal insane" from the comforts of these public places. The man who has been tried for crime, and acquitted on the ground of insanity, has not been generally admitted; not on account of the character of his mind, or the deplorable consequence of his act, but, rather, because the friends of the insane could gain admittance for one afflicted with a mental disease not characterized by hostility to others, while the unfortunate sufferer of a mind diseased by homicidal propensities would, with difficulty, be allowed a place therein. Indeed, we ought to add that the number of insane in this State proved to be so greatly above the estimate, that the provisions, which it was thought would meet the wants of the unfortunate of that class, were so utterly inadequate that it soon became evident that additional room should be provided, and especially should there be made arrangements to keep and treat those whose tendencies to violent conduct have caused them to be brought before a Court of Justice; whose evident infirmity of mind led a jury to pronounce them not *guilty*, though the act charged was proved, the acquittal being solely on account of *insanity*. These people are called "criminal insane," and, until a better and more expressive term can be found, *that* will be used. But it simply declares a man "criminally insane," and reasons that he cannot be criminal, because he is insane.

We have more than once alluded to the character of the plea of insanity, which has become quite frequent at our criminal Bar, to the great

injury of those whose aberration of mind should be pleaded as a bar against responsibility, even in capital offenses. We have mentioned a case, which is one among many, in which a person coolly murdered his wife, and, when his case was brought into Court, his legal defenders set up a plea of "insanity." The jury, no doubt with pure motives, pronounced the prisoner "not guilty," because of his insanity. The physicians who had been in constant attendance upon the prisoner while he was awaiting his trial, declared that they had no reason to believe him insane. The verdict of the jury was of course received, and the man relegated to his prison cell. Shortly afterwards the Court was called upon to release the man, who was retained in prison after he was declared innocent. The matter was one for a physician, and the physicians of the prison declared their belief that he was not then insane and that he never had been insane. This time the opinion of the physician was admitted, and the man was released. He was pronounced "not guilty" of murder, because he was insane, and sent to prison for insanity; and he was released from prison because he was *not* insane.

But injustice to individuals, by misuse of the restraining powers, is often very great. Of those who are pronounced innocent of a capital crime because of insanity, many are sent to prison, and are retained there for life, perhaps.

The insane man may not have such a sense of his condition as to lead him to hope for an entire cure, but his family, his wife, his mother, his children, and

his friends, may think that the disease of "insanity," from which he has suffered, and is suffering, is amenable to appropriate treatment, and that a cure may be hoped for in that disease, as well as in many others, and they know that place, time, and circumstances are to be considered in any treatment that contemplates cure or amelioration; and they know that a County prison, with its variety of temporary inmates, or a penitentiary, with its small capabilities for mental appliances, is not a place in which a cure is likely to be wrought, and this State and this City have made large provision for the curative treatment of the insane.

But, while mention is made of the criminal insane, there has been less consideration given to the mental peculiarities of the insane than is due. "If people are "insane, and are hence not accountable for their "words and acts, of what moment is it where they "are placed, and how associated, provided they are "humanely treated?" Provided that they are not exposed to physical suffering, of what use is it to consider the inconveniences which would annoy a reasonable person — a person "mentally sane?"

We answer with the language of Hamlet: —

"I am but mad north-northwest!"

People who are called insane are not always — not often — totally demented. The term "crazy" seems to be not unexpressive. A piece of earthenware is popularly said to be "crazed" when the enamel or glazing is cracked — not when the article is rendered

useless by being broken to pieces. It may serve good purpose yet, though not, perhaps, in the use to which it was originally dedicated. And the insane man, the crazy prisoner, may have enough left of his solid reason upon which to build a cure, and to give assurance of usefulness and self-respect. Now, the ordinary hospital or asylum for the insane generally includes a considerable portion of those who retain much of the sanity of their early years, and, perhaps, a part of their insanity is an augmented amount of self-conceit and jealousy of social rights. They seem to have an idea of what was due, and, as they think, of what is still due to them, as members of society; and they judge, sometimes pertinently, (always with self-satisfaction,) of their fellow patients; and should they find their community disgraced by the presence of a convicted felon, they would resent the intrusion as one of personal insult and injury, and would be irritated into an aggravated state of that species of insanity which led to their confinement.

Nor is it safe to place a crazy man with homicidal tendencies among people whose mental obliquity had assumed nothing of the form of violence. That would be confounding error and misfortune.

But it will be said that there is no *crime* where *insanity* is proved. We stop not now to show how often the crime precedes the *admitted* insanity; how often the homicide is dwelt on in anticipation, with a distinctness sufficient to prove malice aforethought, and how the gratification of that malice has, after bitter reflection, lead to insanity. Nor need we here mention the strong

probability that in many cases the insanity that leads to acquittal in a judicial trial is only asserted at the bar or assimilated in the cell. Then these are matters for special consideration. There may be no real criminality in the act of homicide which an insane man commits, but there is danger, at least, that it may be repeated. The insanity which leads to murder has a real or imaginary provocation, and in association with other insane, the criminal insane may not fail of a provocation sufficient, in his own mind, to justify a repetition of his homicidal act.

It follows, then, that the insane, whose conduct, without great violence, condemns them to restriction, should not have their feelings irritated and outraged by the presence of offenders whose conduct abroad, if they were sane, would insure to them the worst forms of penitentiary confinement and, perhaps, the last form of capital punishment.

And it no less follows, that those whose acts of insanity would have deserved the severest punishment, should not be placed with those whose conduct or conversation is of a bitter kind, and whose ill-regulated words and actions might provoke a repetition of fatal violence.

The "criminal insane" need a place, a hospital, or a prison, where they can be treated like human beings, without the danger from a sudden ferocity to which their infirmities expose them; where their jealousy would not be awakened by the different treatment which others receive.

The unfortunate, erring insane should have an asy-

lum in which their feelings would not be outraged by the presence of convicted felons, of whose excuses and palliations for crime they are not in a condition to judge.

Such provisions are likely to be made, but improvements that are against established opinion and custom, and which are attended by expense, are slow of establishment.

We have to congratulate our readers upon a change in the public estimate, on this subject, that is working out an immense good. We allude to the growing disposition to treat insanity as a disease, to believe it often curable. The old feeling with which the insane were regarded is fast passing away. Once the friends of the mentally afflicted seemed to regard the misfortune as a disgrace, not only to the unfortunate sufferer, but also to his family—something not to be referred to; and the disease was fixed and made incurable by the very feeling which it excited in others, and among the most painful of the sufferer's feelings was a recollection of the disgust with which he had, in other days, seen insanity met, and hence the strong dislike of the insane to a residence in a hospital. This wrong estimate, so injurious to the patient, is, indeed, fast changing, but it lingers in the experience of some of the old, and in the traditionary gatherings of the young. It will not do to say that the very insanity which is to be treated deprives the patient of the power of appreciating public feeling. The sufferer does feel, does recollect, does dread, not exactly as would have been his feelings in early times, but insanity is not the de-

struction or the suspension of sane feelings or sane knowledge. Remembrance is often as clear on some subjects in the insane as in the mentally healthful; their misconception and disjointed ideas increasing with the advance of the disease, but made more intolerable by vivid recollections of the past and by the mistaken conception or estimate alone of the present.

We shall soon learn to regard the insane, as they are now treated, as suffering from a disease which is as likely to be curable as typhus, or any malarial disease, and then the man with a wandering, diseased mind will share the ideas which are now held of the causes of suffering, and will not be frightened into worse diseases by the entertainment of the thought that he has outlived social enjoyment and is condemned to immedicable disease with an ostracism worse than was the leper's condition.

It is gratifying to be able to state that plans are now being made for erecting in the eastern portion of the State a large hospital for the insane, and a committee has already been appointed to select a proper site. This is in full accordance with the spirit of useful humanity which distinguishes Pennsylvania, and we have no reason to doubt that the proposed hospital or asylum will be erected. It may be said by some that the cases of what are denominated "insane criminals" are not included in the proposed hospital. It may be so, but the more room that is supplied to the *innocent* insane, the more space will be left for the *criminal* insane. And we may expect separate substantial provisions for the various classes of the mentally afflicted.

PREVENTIVE.

APPRENTICESHIP CONSIDERED.

Our Society has a name admirably expressive of the object it proposes and the means to be selected to secure that object. We seek the alleviation of the miseries of public prisons. We do not expect that we are to abolish incarceration ; we do not hope to abolish the miseries which we seek to *alleviate*, to make lighter ; we hope, for the present, to *ameliorate* the condition of the prisoner, and by that means to place him in a situation to profit by his conviction of crime. The patient in a hospital is made to undergo some pain, that he may be in a condition to profit by the ministration of the physician, or the operation of the surgeon. No one expects that the use of the hospital will be abolished, and no one going or sent thither for hospital care imagines that drastic medicines or trenchant scalpels are to be applied without some convincing proof that suffering and decay are to be arrested by a sort of ministration that will be more violent and painful for the moment than the disease of limb or stomach has been. Amelioratives may be applied, but the operation of the medicine or the knife must go on. Punishment is the means which the Law of God prescribes, and which the law of man adopts, and which, unfortunately, the passions of man render necessary. Imprisonment seems to be the punishment to which the modification of the law and the progress of public feeling submits the offender convicted of less than

murder in the first degree. Imprisonment, then, we may expect, will have other terrors than that of mere separation.

The end of the punishment to which we have alluded should be improvement. Improvement, like any other process, demands certain conditions. With *prisoners* these conditions differ, according to the proclivity of tastes and of characteristics. We do not mean that the general discipline of a prison should be made to accommodate individual convicts; that would destroy the character and influence of any prison administration. But while every prisoner should be held accountable to, and governed by, a general law, there can, and there ought to be, such an application of individual authority as will meet the particular circumstance of mind and body of each prisoner. The very lame convict would not be expected to perform the kind of work that he who is of sound limb could easily accomplish and would cheerfully undertake. And so the same general kind of moral teaching could prevail throughout a prison, while the different mental and moral characteristics of the prisoner would admit of a peculiarity of instruction. The low-minded felon, who had lived ignorantly and vulgarly, as well as wickedly, would need a bold and direct assault to make him alive to the circumstances of his situation, and to the very close relation of his past acts with his present condition; while the educated felon, who has abused his conditions and qualifications, requires such an approach as will not alarm his pride in former positions and present attainments. He

who would help the convict must understand something of human nature, and must learn and practise the profession of the Apostle, to "become all things to all men."

But while the friend of the prisoner is conveying good advice to, and creating good feeling in, the cell, he has an opportunity to see what hinders him in his good work, and he will probably find that the first hindrance is the almost impossibility of directing in a good path the thoughts and resolutions of a convict who is in constant intercourse and close companionship with others whose lives probably have been made up of just such acts as those which sent him to be a cell-mate with them.

Inquiry will show the visitor that it was not altogether a suddenly depraved mind that induced the prisoner to commit the act for which he is suffering. Association with the idle who begin to be wicked is one cause. Unrestrained passions and appetites are to be charged with the suggestion or promotion of the criminality. Temptations are around all, and desires for the enjoyment of what ordinary means are too straightened to acquire, abound. But these are only connected with the great temptations which beset the path of youth, and only aid in strengthening the means of committing crime. The prison visitor soon sees, in the condition of his client, how these work, but he sees that there was absent a certain restraint which God has placed for man's benefit. The convict has not been content with steady labour moderately rewarded, or he has been deprived of the opportunity

of acquiring a skill that shall make that labour pleasant and remunerative.

EDUCATION is usually prescribed as the *preventive* of almost all the crimes that disturb society and fill the prison.

Valuable as is scholastic education, almost necessary to the pursuit of business and the enjoyment of its profits, comforting as it is to those who fail of those profits, yet education is not that which restrains criminal acts or keeps the criminal from the prison. An investigation will show that the smallest fraction will represent the proportion of those who are prisoners in the Penitentiary, and who are unable to read — who are destitute of what is called good school learning. Almost all these convicts can read with gusto the "dime novel," and many of them write one. Most of them can write correctly a note of hand, and many of them have shown their ability in chirography by imitating the signatures of good men to such an instrument. Prisoners often ask for treatises on geometry, and algebra, and books on practical chemistry. In some of our prisons the number of educated is greater, in proportion to the uneducated, than it is in the world. That is, there are more people in Philadelphia, in proportion to the whole number of citizens, who cannot read and write, than there are of the same class, of convicts in our prisons, in proportion to the whole number of felons. Education is not, then, a hindrance to crime, though it must modify a felony; it may elevate a man from the condition of "sneak thief" to the more consequential position of burglar. It

may enable a man to rise above the dirty work of making his $\times$ to a bogus order, to the more distinguished felony of forging drafts and loan certificates.

Where is the preventive of crime? What is that which is the great depleter of public prisons?

Of course the education which we have noticed above, if mingled with early religious instruction, would ordinarily act as a preventive of crime, and we have more than once treated of the necessity of religious instruction to our children, and we shall not fail to recur to the subject. In the mean time, having seen that education does not accomplish the good that is too often imputed to it, in as much as we find the cells of our prisons crowded with men of education of all advancements, from the simple proof of reading and writing, to the advanced degree of philosophy and higher mathematics, we naturally infer that there is something else which may diminish the number of felons.

Honest, steady occupation, that may afford exercise for talent and ensure advances in the arts, seems to be a requisite, and we infer, then, that a deficiency in ability for skilled labour is one cause; and, accordingly, while we find that education has served little purpose to diminish crime, only to effect the character of the felony, we find, by examination, that the want of mechanical employment, the want of skilled labour, is too apparent not to be seized on as one effectual cause of crime, one great means of securing convicts, and a *preventive* of success to the labour of philanthropy in the prison.

We have seen that the number of educated persons in the Penitentiary greatly exceeds that of the uneducated, and we now add that the number of persons who never acquired a mechanical skill by apprenticeship very greatly exceeds that of the skilled artisans. Say about ninety per cent. have learned no trade but crime, while of the remaining ten per cent. scarcely a single one ever served out an apprenticeship. From what has been said of the large proportion of prisoners who have acquired school learning in our Penitentiary, we may naturally infer that education is not a preventive of crime, and from what we learn from the reports of our Penitentiary, of the very few of the inmates who are skilled artisans, we may infer that skilled labour finds little time and temptation for crime.

It may be asked what connection there is between prison discipline and apprenticeship? Perhaps none; in fact, the relation really exists between prison discipline and non-apprenticeship. Unskilled labour finds indifferent reward, and often little demand. While the common labourer is as likely to have as large and as dependant a family as the accomplished artisan, he certainly is not likely, admitting both to be, for a time, equally regular in habits, to have as large means to supply the wants of that family as the regular mechanic; and however good or bad the times may be, the common labourer feels that he is occupying the lowest round of the ladder, upon which, for him, there is no ascension. Suppose, then, that dull times should come; the skilled labourer, with his three or

four dollars a day of the past times, could keep the wolf from the door on past pay, or turn his attention to some other branch of trade in which his skill would make him desirable; while the common labourer would be threatened, at least, with temptation, which abounds in all paths, and would be likely to beset his, when no employment supplied means for his family.

There is, then, a relation between the subject of prison discipline and that of apprenticeship, and it behoves those who seek "the alleviation of the miseries of prisons," to consider what may result from a neglect of that season of youth in which is usually acquired a knowledge of mechanic arts, that time which was once devoted to apprenticeship.

We shall all say:—Let the good old relation of master and apprentice be revived. We say *revived*, for it is now *dead*.

He who would have our lads *learn* trades as they once did, must search and inquire what changes have occurred which may effect the project. What is the difference in the situation of the mechanic's business of 1800 and that of 1877? Surely much of the work which was of necessity required of a house carpenter in the first part of this century is now supplied by machinery, and while it was thought absolutely necessary for a carpenter to be able to do all the wood work of a dwelling house, he seems now to be considered master of his art without being able to do certain portions. In other words, machinery does so much of the labour that was once hand work, that it is difficult to say what is the work of a house carpenter. Floor

boards are planed and grooved by machinery ; door-making seems to be a separate branch of business, and window sashes are independent work ; both these and the doors are curiously and, it is said, beautifully formed by machinery, and other parts of a finished house are made with very little hand art. The same may be said of almost every mechanical employment—shoemaking, printing, and of much that once employed the hammer and the anvil, from the smallest nail to the strongest horse shoe. Apprenticeship, then, is not of the same consequence to the employer as it once was, and the trade itself requires so many hands less, as it gives employment to those *Ægæons* of the machine shop.

But there is another element to be taken into account in considering the subject of apprenticeship. It is not alone machinery that stands in the way of apprenticeship ; it is, in a great measure, the want of appreciation of the “dignity of labour.” The miserable vanity of the parents (exaggerated in the son) of genteel life, of living without manual labour, is partly in fault. For a long time there was in this country such a demand for men of some education beyond the mere primary of public schools, that parents found an inducement, in the examples around, of considerable success in professions with no considerable talent or learning, an inducement to give their sons a little education and a large dislike for manual work. The mechanic and the farmer, in other times, acquired comparative wealth, and they hoped to have the laudable satisfaction of seeing their sons’ acquiring professional

distinction ; and they so often succeeded, that it became almost a general plan for parents who had earned money by manual labour, to relieve their own art or pursuit, of the rivalry of their sons, and to secure to their families the honor of one or all of the learned professions. Pursuits, trades and professions, like water, seek their level ; the supply must not exceed the demand, and if any one chooses to add to the supply, he ought to consider the advance in the demand—advance not in numbers, but in the qualification. Hence, it should be considered that the same amount of *ability* (gifts, attainments,) that once gave distinction and success, will not, at present, be so highly regarded, and, consequently, will not be so liberally rewarded. Wealth multiplied, and the number of educated persons increased, but the standard of talent and learning was not elevated by the suppliers ; but it was elevated by the public, and the qualifications that were once available to success, fell short of the growing requirements. The mechanic is now required to have a better education than formerly, the mere handicraft is not enough, but the art must be directed by science, and hence the injury from withdrawing the educated man from the ranks of artisans ; you thus place him where there is more liability of disproportion of numbers and where, consequently, the chance of profitable success is greatly diminished, and hence results a most fearful and often fatal danger. The education or the acquirement that may work the most good may, by misdirection and abuse, be made promotive of extensive mischief. The attainments that

make a man a good engraver may be used to the purpose of counterfeiting, and the pride that restrains the accomplished man from honourable labour, may be induced to consent to means of dishonourable occupation. What is needed is a conviction that labour is not degradation; and that the highest attainments are not inconsistent with useful and honourable employment; and that useful employment, which enables a man to provide for himself and family, is honourable.

We earnestly commend this view of hindrance of crime to the thoughtful perusal of our readers.

PRISON LABOUR.

In taking a survey of the condition of prison discipline abroad and in the United States, we are compelled to admit that, in our own country, at least, there is little evidence of great improvement, either in the structure of the prisons or in the administration. It is confessed that in some of our States, prison discipline consists merely of retaining the prisoner without much regard to his comfort or his improvement. In some States a system of State guardianship prevails, and much accountability is required. But a neglect of the important provision of separate confinement and personal dealing defeats, almost entirely, the good object proposed by legislative enactment, and laboured for, careful administration. In some States there is much legislation and careful administration, and the

end is nearly attained; but that end is not *first* the improvement of the prisoner and the moral benefit to souls.

The proposed end is made obvious by the questions that are suggested as to the efficiency or true application of the means. "What are the net earnings of the convicts?"

It is said that, in one State of this Union, the executive and legislative expenses of the Commonwealth are paid by the profits of convict labour, while the market is crowded with their work to the exclusion of that of honest men's labour; because a little cheaper than that which was once contributed by worthy people, who contrived, by the results of their labour, to rear families in honest decency. It is not certain that those very men, who once were a useful portion of the community, have not been ready to believe that it was easier to work for the Commonwealth than for their families, and they have been either induced to remove their *kit* to the State Prison, or been induced, from a want of demand for the products of their honest labour, to enter upon some unlawful mode of helping their families, and they have *contrived* to make themselves of the number of those who pay executive and legislative salaries without taxation.

We are not now about to discuss that question of social economy involved in the proposition to occupy or to glut the market with the products of prison labour. That is one of those stirring questions which are debatable without a very satisfactory response.

The administrations of public prisons, anxious to

decrease their net expenses and to promote discipline among the prisoners, seize upon some mechanic art which may be exercised in various degrees of completeness, and throw their product upon a market that is already glutted with the results of the labour of honest men and women. As the convict mechanic (say boot or shoemaker,) has no family in prison for which he has to provide; or rather his employers in prison do not have to provide for families, a pair of boots or shoes turned out by convict labour, is only chargeable with the cost of the leather and "findings," and the prison fare of the workman; while the boots and shoes made by the honest man abroad, cost quite as much for leather and for "findings," and then they are chargeable with the food and family expenses of the maker. These articles are brought into market, then, upon the most unequal conditions. If the market is a little more than supplied, the seller must, according to mercantile usage, submit to a reduction of price, which is regulated by demand and supply. The honest man can endure but little reduction, his profits are, at best, but small, and he has, as before stated, to reckon in the cost of the article, the price of materials and the expense of family support. The convict or the agent has no such consideration to prevent him from monopolizing the market. The prisoner must be supported at any rate, and all that comes in from the sale of boots and shoes is so much toward supporting the inmates of the prison, though it takes the bread from the mouths of the wife and children of the honest man, and drives him to acts that place him among the

contributors to executive and legislative salaries. We do not overlook the fact that, in the account of these profits from manufacturing of shoes, the expenses of the prison have been met and then contributions made from the net profits of prison labour. But we repeat the inquiry : — Were not those profits made larger by the fact that a great many are working in the prison for nothing but their coarse food and their motley clothing? And is it strange that there should be a profit on this combined labour with so few expenses, while the outside bootmaker, or other mechanic, is toiling to obtain a living — food and raiment — for himself and family, and is also paying, by his honest labour, the cost of supporting the town and county authorities, and of maintaining the State? Nay, more, if, by mistake, the calculations and efforts of the prison authorities, or if the exceedingly low price asked for prison goods, should not be equal to the costs of maintaining the convicts, then, these honest labourers must pay more taxes out of an income terribly limited by a competition between the productions of the labour of honest industry and that of the enforced employment of the convicted felon.

At the present moment we hear on all sides the mechanic imputing a large part of his suffering to the constant introduction of machinery into all factories, and while writing this we hear the special cry of the bootmakers that their trade is ruined to them by the introduction of machinery to cut out and put together the parts of their work.

We have not always found that the results of the

introduction of machinery justified the fears of those who denounced the cheap production; sometimes it increases the use of the article. Many who could not attain to the use of the production before machinery cheapened it, were enabled to add it to their consumption. But feet must be multiplied to augment the demand for boots and shoes, and even should that mode of augmentation be found it is equally certain that convict labour can be helped by machinery as well as that of honest men; and even now machinery for accelerating the production of boots has been placed in prison, and therefore the benefit accrues to the prison; or if the prison should derive no benefit from the use of the labour-saving machinery which it employs, it is not because the prison is not ready for the market with cheaper goods than those furnished by honest people, but because it gluts the market with the overplus production, and, in order to get clear of the excess, sells at a price below the cost. The deficiency will be made up by public taxation, which the honest labourer, who sees his product undersold, must pay in part. What is he to do? Surely his condition is as worthy of consideration as that of the convicted felon. The rogue loses his liberty for a time—the honest workman loses his life.

* * * * * “You take my life
When you do take the means whereby I live.”

We have nothing to say as to the uses of machinery to save labour; we know that it is useful, that it enables the farmer to harvest and thrash his wheat,

to cut his large fields of grass in a time that secures the best qualities of grain or grass; indeed we believe that a great portion of the wealth of many States is dependent upon the use of the machinery of the field and the granary. We allude to machinery only incidentally, in relation to the argument against enlarged prison manufactures, and even on that subject we are not enforcing opinions, but only inviting them. We see the danger of large prison production. As soon as profit becomes the object of the prison government, improvement ceases to be a consideration, and add to that the idea that felon labour, supported by public taxation, is destroying the market for the labour of honest industry, and we have a conclusion that is not friendly to sound morals. If to these should be added the further consideration of the contract system, then we have that which should arrest the attention of prison inspectors.

The contract plan would seem quite in aid of a system of remunerative imprisonment, and we cannot wonder that so many of the State penitentiaries have yielded to the proposition of manufacturers to give daily employment to the inmates of prisons and penitentiaries who are condemned to "hard labour." Work must be done, and to make that work profitable to the institution purchasers must be found, or employment, labour, ceases. The contractor comes and relieves the prison authorities from the responsibility of finding work for the prisoners, and from the greater responsibility of finding purchasers of the work. The contractor gives usually so

much per day to the prison for each prisoner's work. He therefore is interested to drive hard, and almost all convicts who fall into the hands of contractors suffer; the prison may make, by even the small sum allowed for a day's work, but the improvement of the prisoner is almost impossible, and just in proportion to the number of convicts thus employed is the injury done to the honest labourer.

The man who is husband and father, who sees demand lessening for his labour, and concentrating upon that of the prisons, feels for a time the pain of his responsibility as husband and father, and he sees that something must be done to satisfy the demands of a dependent family. All men are not vicious or criminally inclined, but when the advantages of life are in favour of wrongdoing, it is not strange that the husband or father yields to temptation, and, failing to make comfortable his humble abode, violates the provisions of the law so far as to make a permanent home for himself where, if the fruits of his labours do not accrue to the benefit of his family, they will at least go *nominally* to the aid of the Commonwealth in some penitentiary whose directors may make their institution self-supporting and perhaps government supporting also.

We are not unapprised of the fact that arguments are used for the multiplication of prison labour; and we are not insensible to the weight of those arguments, though we do not think that, with all their weight, they turn the balance. We have offered the above remarks to meet the triumphant cry of "self-

"supporting" and "largely remunerative," which has been raised in favour of glutting the market with prison labour, and to show that there is an answer to the question of convict work.

It is on the opposite side declared that "the men employed on prison labour, whose production interferes with honest workmen's wages, would, if they were out of prison, have to labour, and would thus come in competition with those who now complain."

That is true; but it is probable that instead of being confined, as in prison they must be, to the production of one or two articles, their contribution would extend over a great variety of production, and thus interfere less injuriously with any particular branch of manufacture. If all the labour of a large prison should be concentrated on a single branch, for example, boot or shoe making, as it mostly is, it must happen that that trade would be glutted. There is no pretense now that the boots or shoes of coarse kind may not be as well made in prison as in the shops. Hence the individual purchaser has little concern in a question which really affects society through the honest manufacturer.

But one point in this question may be now noted as of great importance. The large prison that is to employ its great number of convicts has, at any rate, to feed those men whether the work is found for them or not. The directors of the prison then provide material, and set their prisoners to work. If it is for the manufacturing of boots the materials and general findings are supplied, and soon the storeroom exhibits the necessity of depletion. The boot and shoe sellers soon find

that there is a competition among the manufacturers, and that the pressure of hard times diminishes the number of purchasers, and calls for a reduction in the retail price. The men who maintain or try to maintain families by the profit of their labour at boot making yield slowly to the pressure, but they know that the retailers of these goods have a resort to the prison work, and if they who employ honest labour will not reduce their price the prison will rush into the market, and will sell, it *must* sell, its production at some price, and as no families are to be maintained, none of the ordinary expenses of food, clothing, instruction, and taxes are incurred, the prison will hold the market against the shop labourer.

We hear the reply, *viz.*: — “The public are concerned “in getting the article cheap, and in escaping the taxes “which the maintenance of a prison renders necessary.” *Then* it would seem that to multiply convicts and increase the number of prisons would be a good movement in social economy. But these felons are not to be convicts all their lives, and teaching them to make boots may be a good thing for them; but allowing them to learn the skilled labour of felons from their associates would be at too great an individual cost, and the introduction of felon workmen would perhaps add not beneficially to the morals of a workshop.

The question of prison labour as affecting honest industry abroad is one of importance, and needs a closer investigation and a fuller and more definite answer than we have attempted. Indeed, we have

attempted only to shew some of the arguments for, and against, prison labour. We do not undertake to decide. We do not offer our remarks as our belief. Social science has a work before it.

“The wise and learned rack their brain
To solve the problem, all in vain.”

MORE PRISON ROOM.

Amongst the means of alleviating the miseries of public prisons is that of enlarging the space into which prisoners are put, or diminishing the number put into existing spaces already overcrowded. This Society, as the advocate of “separate” confinement, has ever looked with regret on the tendency of our prisons to become over populous, and the indifference with which the public endure such a violation of the State laws; and it has raised its voice from time to time against the destruction of the only system of prison administration which held out a hope of improvement to the prisoner while he was receiving the punishment prescribed by the law and pronounced by the Court.

The County Prison of Philadelphia was built, and its cells constructed, to carry out the system of separate confinement, and to allow of separate and personal dealings with the prisoners, and there was a time when such a system was carried out in the County Prison, and the visitors to that prison, from this Society,

had cheering accounts to give of their success with those whom they visited. At length, commitments increased, and the cells, having each an inmate before, were compelled to admit others, till the number of prisoners increased from one to four in each cell, and the inmates lived in a state and condition that was most repugnant to every idea of decency, and most unfriendly to every hope of amendment. Quarter by quarter, when the Court sessions were for three months, the Grand Jury presented the crowded state of the County Prison cells as a wrong, and the judge responded to the presentment. Month by month, when the sessions became monthly, the Grand Jury complained of the unhealthy condition of the prison cells from overcrowding, and, month by month, solemnly and earnestly, the judges referred that portion of the presentment which related to the prison, to the proper authorities, but nothing was done.

At length, last summer, a Grand Jury made the evil of crowded cells a matter for a special report, and Judge Elcock made the presentment of the Grand Jury a matter for special response, and having pointed out a course which he thought ought to be pursued, he added that the public interest and duties were important, in his estimation; if those who at present had the direction of matters did not take some steps to abate the evil, he would try the power of the Court.

The Board of Inspectors, who had often appealed to City Councils for an alleviation of the misery and unlawfulness of crowded cells, renewed their addresses to Councils on the subject, and final action, or

rather consideration, was begun. Both Council and the Board of Inspectors seemed much in earnest. The Inspectors, thinking that the evil could be remedied by extending the prison across the lot on the western side, and that at a comparatively small expense; Councils declaring that there ought to be no extension to the present County Prison, but that a City Penitentiary could be erected on the lands owned by the City, near Holmesburg, on which the "House of Correction" stands, and called upon the Inspectors in consultation with the Managers of the House of Correction to prepare a plan and estimate for a prison lot on that farm, the new prison to contain only the *convicts* sentenced and to be sentenced thereto, and those in the Moyamensing Prison; the latter to be used for the untried and some other classes.

We gather from inquiry that a Committee of the Board of Inspectors, after examining the ground owned by the City, near that upon which the House of Correction is situated, and in consultation with the Managers of that Institution, selected a piece of ground containing about thirty acres, a portion of which would be an excellent site for a prison, as it regards convenience of access, materials for building, and admirable drainage. Water must be brought from some more elevated point. The cost of such work would be considerable, but that much depends upon the plan, and the plan must depend on the location, size, *etc.* Of course, a high wall must encircle the whole prison lot.

Councils will have to consider the subject with great

care, with regard to site, plan, and work, and in these times, with special regard to the *cost*.

That there must be enlargement of prison space is a foregone conclusion. That the present County Prison may be enlarged, seems not probable, with the emphasized expression of opinion of Councils.

Meantime, it is something to know that there is a strong disposition in Councils to do something to relieve the cells of the present County Prison, and to sustain the authority of the law and the judgment of the Courts.

Dr. HENRY M. LAING, Treasurer, in account with the Philadelphia

1876.	1 Mo., 23.	To Balance on hand.....	\$1,812 92
		" Cash received from Sundry Subscriptions.....	30 00
		" " " " Joseph Kinike, Life Membership.....	30 00
		" " " " James Kaighn, Collections.....	397 80
		" " " " State Treasurer, one-half of State ap- propriation for 1876.....	1,500 00
		" " " " for Interest on City Loans.....	619 80
		" " " " " " U. S. Loans and Premium..	66 42
		" " " " " " " Legacy of B. D. Brown.....	66 00
		" " " " " " " " Jesse George.....	65 74
		" " " " " " " " Sarah E. Ran- dolph.....	65 74
		" " " " Bishop Wood, Donation.....	50 00
		" " " " Interest on Deposits.....	104 86
			<u>\$4,789 28</u>
1877.	1 Mo., 25.	To Balance on hand.....	\$2,182 84
BARTON FUND.			
1876.	1 Mo., 23.	To Balance on hand.....	\$601 00
1877.	1 Mo., 25.	To 1 Year's Interest on Mortgage.....	120 00
			<u>\$721 00</u>

TREASURER'S REPORT.

129

Society for Alleviating the Miseries of Public Prisons.

Cr.

1876.	By Cash paid Committee on Discharged Prisoners, Eastern Penitentiary..	\$ 915 21
	" " " W. W. Walters, Agent Eastern Penitentiary.....	400 00
	" " " Committee on Discharged Prisoners, County Prison.....	415 48
	" " " Wm. J. Mullen, Agent County Prison.....	400 00
	" " " Printing Journal, Stamps, etc.....	375 75
	" " " H. G. Townsend, Secretary.....	50 00
	" " " 1 Year's Rent of Room for Meetings.....	50 00
	By Balance on hand.....	2,182 84
		<u>\$4,789 28</u>

HENRY M. LAING, *Treasurer*,
30 North Third street, Philadelphia.

Philadelphia, 1 Mo., 25, 1877.

Having examined the Account of Henry M. Laing, Treasurer, and the Vouchers in his possession, we find the above to be correct, leaving a balance in his hands of two thousand one hundred and eighty-two dollars and eighty-four cents; also, a balance of seven hundred and twenty-one dollars due to the Barton Fund.

CHAS. ROGERS,
WILLIAM DUANE,
Auditors.

Philadelphia, February 5, 1877.

ARTICLE IV.

ARTICLE V.

[illegible]

ARTICLE V

ARTICLE VII

ARTICLE VI. II.

ARTICLE 1

OFFICERS OF THE SOCIETY 1877.

President—JAMES J. HARRIS
 Vice President—ROBERT C. ATLANTIC
 Treasurer—HENRY M. LIVING
 Secretary—JOHN L. LIVING
 Correspondence—EDWARD TOWNSEND
 Librarian—J. H. WILSON
 Auditor—WILLIAM D. CLARK

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 Allen H. Loring
 George T. Loring
 Charles T. Loring
 William J. Loring
 Thomas S. Loring
 John L. Loring
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 Rev. Charles T. Loring
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 George W. Loring
 William L. Loring
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Executive Committee of the Society

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NEW SERIES.]

[NO.17.

THE JOURNAL
OF
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AND
PHILANTHROPY.

PUBLISHED ANNUALLY
IN THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR
RELIEVING THE MISERIES OF PUBLIC PRISONS,"
INSTITUTED 1787.

JANUARY, 1878.

PHILADELPHIA:
HENDLER, BOOK AND JOB PRINTER,
Nos. 305 AND 308 CHESTNUT STREET.
1878.

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NO. XVII.

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JANUARY, 1878.

PHILADELPHIA:

1878.

CONSTITUTION

CONSTITUTION
Philadelphia Society for Alleviating the
Miseries of Public Prisons.

NEW SERIES.

NO. XVII.

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY.

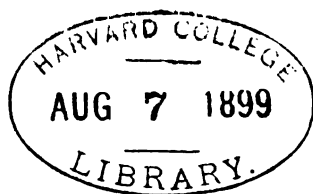
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1878.



Pa. Prison Society

PHILADELPHIA:

JAMES B. CHANDLER'S STEAM PRINTING ESTABLISHMENT,

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ROOMS OF THE

PHILADELPHIA SOCIETY

FOR

ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the Twelfth Month (December) 20th, 1877, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report), consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, EDWARD H. BONSALE, REV. E. R. BEADLE, D. D., and WILLIAM DUANE, presented the draft of the Annual Report, which, being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At a Special Meeting of the Society, held Twelfth Month, 20th, 1877, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they might think proper; and they were also authorized to distribute it.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE,
Secretary.

JOURNAL.

PART I.

REPORT OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

THE character of this Society, and the plan adopted for prosecuting its labours, are such that an occasional statement of the proceedings of its agents or committees is necessary to that general knowledge of its attempts at usefulness which shall ensure the assistance of its less active members, and the approval and aid of the public. It is, at all times, difficult to make useful progress in any public society that is labouring against a public sentiment, or which suffers its actions to be so concealed as to create occasional misconception of its motives or its objects. An annual statement has therefore been deemed respect-

ful to the public and useful to the members; such a statement of the proceedings of the Acting Committee of this Society has been required by the Constitution, upon which it acts, and such a statement is now made, that the Society itself may fully understand the manner in which its objects have been pursued, and the results which have been achieved by that Acting Committee through its various agencies, and in its collective executive capacity. And the statement thus made is, when accepted and approved by the Society, sent forth and circulated as the proceedings of "The Philadelphia Society for Alleviating the Miseries of Public Prisons."

To the simple statement or account of proceedings, have usually been added some papers, presenting views of the writer, supposed also to be the opinions of the Society, concerning subjects that are involved in the aims and proceedings of the Society. There are certain subjects that touch at some point the great question of prison discipline, prison evils, and prison morals; and these are proper for consideration. And as upon any or all of these subjects there will almost invariably be entertained different opinions by different persons, it has been thought best to place all the expressions of those opinions where no injury can be done to the main object of the existence of this Society.

To alleviate, to make lighter, the miseries of public prisons is the avowed object of this Society, and there is ample space for the action of the Committee, and objects sufficiently numerous upon which to act. It would

certainly secure one great end of good to society, to alleviate the miseries of prisons by lessening the number of prisoners at this time of overcrowded cells ; that would, of course, lessen the evil. But if "separate confinement" existed in reality, as well as in theory and law, any movement that lessened crime would tend to the object at which we aim, and, perhaps, render the misery, or the use, of prisons unnecessary. Some of the ideas of improvement, or some of the plans for lessening suffering, may not be correct, but with fair capabilities of judging of plans, and with long experience in executing them, or of forming plans from practical experience, we may be supposed to be able to form a judgment upon the great question of penology in all its forms. A judgment we do not deem infallible, but one which may be presented without incurring a thought of rashness ; one entitled to consideration when antagonized by opposing theory and different practice. That judgment, formed on experience, while it strengthens our confidence, leads us to present ideas corresponding with our plans, and thus to endeavour to improve public sentiment and to direct public action.

We have so frequently presented to the readers of this Journal the objects of our Society, and the divisions of members, and responsibilities by which we carry on our labours, that we forbear a repetition of the explanations which we have hitherto given, and confine our statements to the presentation of a record, or synopsis of the record, of the proceedings of the Society, its committees, sub-committees and agents.

The readers of this Journal will understand that the general action of this Society is performed, not in its congregation, but by representation. An Acting Committee of more than fifty members perform its functions, and report four times a year, to the Society, elaborate statements of their proceedings, and ask the concurrence of the primary body. Meantime, as the special work of the Committee lies in two classes of prisons, the General or Acting Committee is divided into two classes or committees, denominated from the institution to which their labours are directed, *viz* :—“Committee on County Prison,” and “Committee on the Eastern Penitentiary.” These Committees hold monthly sessions, in which each member reports his action, and the summary of those statements is reported to the parent Society at the quarterly meetings.

The Committee on the County Prison feel that while the persons to whom they are sent are likely to be less accessible to good instruction than are those confined in the Penitentiary, they are not less sensible to kind interference. But the difficulty is to reach that interference. The intention of the Society is to have its agents, that is committee-men, in personal intercourse with the prisoner, that the visitor may obtain a knowledge of the character and mental, as well as physical, condition of his client; so that there may be a perfect understanding between the visitor and the visited. In some measure the prison visitor stands in the same relation to the prisoner that the physician occupies toward the patient. Now, as the physician would scarcely venture to prescribe for the patient

without some knowledge of the disease which he is called to cure, and as he would feel more and more capable of his work as he learned more and more of the disease and the physical character of the patient, so the visiting member of our Society could scarcely be supposed to make his visits profitable to the prisoner until he understood the mental condition of his client, and it may be fairly inferred that the more intimate he became with the past conduct, former relations, and mental proclivity of the visited, the greater would be his means of usefulness. On this subject, in passing, we say, though the subject is really worthy a separate paper, that there must be an understanding between the visitor and visited, a perfect confidence, a candor and simplicity of motive, or the best efforts of the visitor will be useless, his plans of good entirely frustrated. We mean that the prisoner ought to make known his *case*, not merely the *crime*, for which he is suffering imprisonment, but other cases for which he did not suffer imprisonment nor trial. To make the work of the visitor successful, he should ingratiate himself into the secret experience of his client, lest some of his advice and exhortation might mislead the prisoner, who feels the influence of the unexposed, the unexplained fault, a fault which perhaps has a closer relation with the infirmities of his character than has the crime for which he is suffering.

Medical experience confirms the assertion that patients sometimes suffer much from the administration of good medicine prescribed by a competent physician really because that patient has concealed from the

medical man some other morbid condition of his system of a more dangerous tendency than that for which he is receiving advice and taking medicine. So the visitor to the cell of the convict, suffering for murderous assault, perhaps, plies his client with advice against such a dangerous and wicked abuse of his physical powers, and feels that he has wrought much good when he obtains from the prisoner a solemn promise that he will not again use such violence. Alas, the violence, the assault to kill, was not the *real*, only the *proximate*, cause of his imprisonment. The man when he gets clear of the prison, and of his friendly visitor, will probably sustain his promise of peace until he shall again encounter the same or similar motives to violate that promise. Fighting may not be the bent of his mind, "the sin that most easily besets him," but some other cause precedes *that*—he has not pledged himself to keep from the exciting scenes of the saloon; he has not made solemn promise to any visitor to keep from improper associations; he has not pledged himself to avoid the company "whose path leads down to death, whose feet take hold on hell;" and in the indulgence of irregular passion in the "inordinate cup that is unblest," he finds the incitement to do or say that which leads him to a violation of his pledged faith. The visitor who does not know or learn the mental proclivity and general character of the prisoner whom he attempts to improve in the cell, will fail utterly unless he deals in generalities, and then he can do little good.

Now, supposing the visitor to be possessed of the

general characteristics and of some of the peculiarities of the prisoner whom he is going to converse with, and he finds, when he enters the cell, that there are other prisoners in the same room who are to be included in the list of hearers, how is that visitor to deal with the peculiarities of his immediate client's character, while others are to hear the exposition and the dehortation? It is impossible for such a work to produce any profit, and the remarks must be only upon generalities, which will be less effective than a newspaper comment, or a small pamphlet. These may be read in silence, but open rebuke, or the advice that exposes weakness, will be rather injurious than beneficial, and the visitor may not hope for good results from his sacrifices.

We have made these observations suggested by the remark that the visitor to a prison cell must understand the character and proclivities of the person whom he visits with the hope of doing the unhappy man good, and we will state *why*.

We are, it will be recollected, speaking of the County Prison, and the relations of this Society with that institution.

To this Prison the members of the "County Prison Committee" go with a full intention of doing good, in the appropriate time and zeal; but when they present themselves, and would communicate with a prisoner, they find all hopes of usefulness destroyed by the appearance in the cell of new faces, in number to make it disagreeable to enter, and in appearance that declares a readiness to destroy by ridicule any impression of good which might be effected by conversation with

their clients. It is much to make a man, charged with crime, so to disregard the pain and disgrace of incarceration as to confess his fault, or so to admit of advice as to intimate confession ; but when there are cell companions of hardened character, who have fallen from vice to crime, the confession of course cannot be expected, and scarcely can the submission to gentle monition be looked for. The number strengthens hostility, while it removes or silences compunction. A false shame in the first tenant is increased by the ridicule of his associates, and the visitor soon finds his advice little heeded while he is there, and soon learns from others that he himself, and his advice, are subject of insulting ridicule as soon as he has gone.

What encouragement then has the visitor to the County Prison to persevere in his efforts? What rewards can he look for from temper subdued, evils confessed, and resolutions of good declared? They may be made, but the breath of ridicule to this class of people is like the Sirocco to vegetation. But that ridicule will come as surely as the temptation is offered by any one making a first attempt to deal with a convicted felon in the presence of others in similar circumstances, is certain ; and it has rarely happened that there was good feeling enough to check the attempt at ridicule, or good sense enough to resist the power of that tremendous weapon against good impressions.

Hence, we say that much less has been achieved in the male department of the County Prison than had been

anticipated—had been hoped for. No charge can be made against the earnestness and promptitude of the appointed visitors. They went and tried to accomplish their full mission ; but it is feared that some have shrunk from its unpleasant work ; which is attended with so many physical inconveniences, and encouraged with so few evidences of good results. We have therefore less to say of the rewards of labour in the County Prison than we once had, and have the melancholy task to declare that there is little hope of success while its cells continue to contain more than one prisoner each. In height, breadth, and length, the cells of the County Prison were constructed to contain one prisoner only. The Acts of Assembly in this State, in prescribing punishment for the convicted felon, and for every class of prisoners in that institution, declare that they shall be separate, and the Judge imposes a sentence of “separate confinement,” and any sentence by a Judge that promotes congregated confinement, and any movement by the keeper of the prison that places two or more prisoners in one cell, is as much a violation of the Acts of Assembly as is the act for which the felon is consigned to a prison.

“Why,” said a convict to the writer of this article, who was officially visiting the cell, “am I shut up in this cell with these companions? I mean, why am I imprisoned?”

The exact act not being recorded at the door of the cell, the reply was:—“I suppose for violating the laws of the State.”

“I suppose,” said the prisoner, “that is the case ;

“ that I was charged with violating the laws of the State, and hence you think I deserve imprisonment ?”

“ Of course, that is generally understood.”

“ Well, then, that being the case, will you tell me who has violated the laws of the State when I am thrust into a small cell with two other persons, whose habits are quite different from mine, and whose conversation is not such as I like ?”

“ We here only do as the Court directs.”

“ The Court does not direct you to put me into a cell with other men who may be very disagreeable. Indeed, I listened to the sentence which the Judge pronounced in my case, and it was emphatic—SEPARATE confinement. If that is the instruction of the Judge of which you speak, and I remain in a small cell with two other men, it appears to me that somebody else has violated the laws of the State. Whoever it may be, I hope he will not be condemned to undergo *separate* confinement in this cell with me and my two companions.”

There was an appearance of earnestness and correct estimate in the convict's language, and, for a moment, no reply was given ; when the answer came, it intimated that the remaining time of his service was so short that we believed that it did not warrant any more than his earnest protest. “ But,” said he, “ if I had, as some others have, years to serve in this prison, I would require a fulfillment of the law in my case, and a compliance with the Judge's award. I have no complaint of the treatment I receive here, other than that

“ which I have mentioned ; but that is enough for a man
“ of any feeling, and I am able to say that a man does
“ not lose his feeling by becoming a convict. He may
“ deserve a prison cell for violating the law, but he has a
“ right to expect the exact amount of his felony (if any)
“ being known at the time of his trial, that he shall have
“ no more punishment than the ‘law allows, and the
“ Court awards.’ I feel no unkindness towards my cell-
“ mates, but you know that we are not of similar habits
“ of thinking, speaking, or acting. Those that left the
“ cell some time since, and left some space for those now
“ with me, were of habits, of language and training, that
“ my residence, and I can not say, association with them,
“ was a gross outrage upon any man with decent ideas ;
“ and you know that few inflictions can be greater to
“ persons who have seen better things than the enforced
“ companionship with young prisoners, whose conversa-
“ tion, when it is fit to be understood, is generally only
“ details of plans of mischief, and deeds of injustice.
“ Boasts of what had been intended, and regrets for the
“ failure that landed them in the cell—failures which
“ they were using here to insure future success in plans
“ of more extensive mischief. And, sir, when that *style*
“ is for a time exhausted, the boasts of fraud planned
“ and crimes committed gave place to an interchange of
“ views and opinions, in language that would shock the
“ most depraved ear. I have thought that had I known
“ before entering the cell the kind of suffering to which
“ I was to be submitted, I would have asserted my law-
“ ful rights, and refused to be a companion of dirty
“ rogues, even though I was a convict. I know enough

“ of society and of law to know that such resistance
“ would have led, by some means, to the issue of
“ a writ of *habeas corpus*, though I do not know
“ what would have been the result of such a move-
“ ment, as I know by bitter experience that there
“ are not cells enough in your prison to allow each
“ prisoner separate confinement. I will not say that I
“ should not like an agreeable companion in this cell, but
“ I know that agreeable companions in a felon’s cell are
“ not to be expected by one who has been reared in hab-
“ its of decency and propriety. You will say, perhaps,
“ that a convict has no right to complain. A convict, sir,
“ you will agree, has a right, if he is to be punished, to
“ be punished according to law. If I am sentenced to
“ six months’ imprisonment for a violation of the law,
“ and I should be mounted upon the pillory, placed in
“ the stocks, or have the punishment of ‘forty stripes,
“ save one, well laid on,’ do you not think that an expo-
“ sition of such a departure from the letter of the law
“ and the sentence of the Court would excite public feel-
“ ing and lead to some action in the case that would dis-
“ turb the feelings of some parties, and, perhaps, pre-
“ vent future violations of the law in that direction?”

“ I think it might make some talk, and lead to some interference.”

“ Well, you admit, then, that it is a great wrong to
“ take a man sentenced to separate confinement and
“ place him in a cell planned and constructed for the use
“ of one person only, and force upon him the compan-
“ ionship of three or four men of impure minds, impure
“ words and impure deeds, to compel one of that

“ company to witness the indecencies of undisciplined
“ men, to endure the indelicacy of such a situation, to
“ submit to the indescribably offensive association ; and,
“ I tell you, I would rather undergo the corporal penal-
“ ties of stock or pillory and the whipping post, than to
“ endure from day to day the daily nuisance—the
“ abominable indecency, to which I am exposed.”

“ The corporal punishment to which you refer de-
“ rives much of its severity from the publicity and the
“ exposure of the act.”

“ I understand and admit that the public execution
“ of the sentence to the pillory and whipping post adds
“ greatly to the mortification of the punishment. But is
“ the punishment here unwitnessed, untold ? Friends
“ visit me, and my cellmates are, of course, allowed the
“ same liberty, and their visitors witness my degrada-
“ tion of social imprisonment, and they proclaim it when
“ I return to society—or rather when I return to the
“ world and seek society, a knowledge of my impris-
“ onment will be as general as would have been a
“ knowledge of my punishment by flagellation or the
“ stocks ; and the fact that I had been a convicted
“ prisoner, if known, will operate against the fulfillment
“ of my wishes ; and that knowledge, coupled with the
“ assured fact that my imprisonment had made me the
“ companion of filthy felons who lacked decency to the
“ extent that made an avowal of their misdeeds a claim
“ to closer association ! Recollect, sir, that here we
“ have not the choice of our companions. The very
“ fact that it is unlawful to confine more than one per-
“ son in one cell serves as a sort of justification or of

“excuse for making the association without regard to
“the correspondence of character, attainments, or
“moral feelings.”

“I regret your condition,” was the reply, “but there are no means provided to remedy the evil.”

“Is there,” said the man, “no one to correct this
“wrong to a prisoner when there are so many men
“employed, and so much money paid to arrest, try, and
“punish the prisoner for the wrongs he may have perpetrated against society? I tell you plainly that this
“mode of punishing for small crimes almost necessarily
“insures the commission of large felonies; and it would
“be better that a sort of Draconian administration of
“justice should exist, and trivial crimes be punished
“with death, or continued imprisonment, rather than
“that the minor offence should be so visited as to
“harden the feeling of the offender against society, and
“destroy the self-respect and correct sense of justice
“upon which social life depends.”

The feelings of the prisoner so ran into words, and thus occupied time otherwise appropriated, that his visitor was compelled to put to him certain questions that belonged to the visitation.

“Have you any complaint to make of the treatment you receive here?”

“None, excepting that of which I have just now complained.”

“Your food is good.”

“Good enough, though I hear complaints from those who, I think, never got as good at home.”

“Then some do complain?”

“Yes, I heard a combination to make special complaint of food, but a part of the conspirators drew back, and thus you have been saved these complaints. The cause of my complaint exists, and as often as I have an opportunity I shall make myself heard; I do not think that it makes any difference in the matter of which I complain whether I am rightfully or wrongfully imprisoned, whether I did the act with which I was charged, and for which I am suffering, or whether mistake, carelessness, or haste to secure conviction sent me innocent to the prison. I have but one wrong to complain of, and that, I think, is soon to be redressed. All the questions which you propound to me, are aside of the grievance; the supply of food is ample, and well prepared, and regularly served; the keepers are civil and kind—but why dwell on such small matters unless it be to draw attention from the main grievance, *viz.*—the indecent, the unjust, and the unlawful degradation to which I am submitted by this compulsory joint occupation of a small cell?”

The complaint and argument of the well-educated, but guilty, prisoner was rather intended by him to depict the possibility and chances of suffering as well as the reality to which a convict in a crowded cell is exposed, though it was evident that, in his case, there were grounds for the complaint, and evidence that he had experienced a portion of the miseries which he described:—

“All which he saw, and part of which he was.”

Those who frequently visit the door of the crowded

cell will hear such statements, occasionally, though the greatest sufferer is admonished to silence by a recognition of the power which his cellmates possess of adding to his vexation. But some do speak out. And the visitors, though they may hear no such utterances, must see in crowded congregations of felons, some of whom are of filthy habits, sufficient cause for disgust; and such visitors must feel that where no such complaint is made from a crowded cell, the work of mental degradation has far advanced, and what had not been corrupted by social liberty, had been made rotten by congregate confinement.

We dwell much on this point in considering the County Prison, referring to *one*, what is an aggregate of *many* utterances, because we have the knowledge that this evil has become so offensive and so patent, that it will have a consideration from the Courts, that must lead to hopes of mitigation. The Courts, we have reason to believe, have felt the difficulty of their position in passing a sentence which they know cannot be executed according to the law which they are administering.

The number of visits made to the County Prison by the members of the Committee appointed especially for that place varies with the season; and other circumstances may influence, also. But in the heat of Summer when our citizens seek health from the country air, and the breezes of the ocean, the members of the Committee probably participate in the general exodus, and, of course, fewer visits are reported for that season than in the Winter; but there was no week, and, in-

deed, there was no week-day, last Summer, in which the visit of some of the Committee was not made. Though the evils, which we have before noted, rendered such visits less agreeable, and, perhaps, less wholesome, certainly less frequent, than would have been the case if the law, as it regards separate confinement, had been rigidly administered. We ought to say here, that the appointed visitors to the County Prison are men who are less affected by the inconvenience which they must incur by visiting a crowded cell, than by the certainty that in that crowd there exists a determination to ridicule their teaching, and to make their efforts for the prisoner's good redound rather to the injury of the cause of virtue. How well those who undertake to advise certain persons know how little good they are likely to achieve, when with the very class of persons, in whose behalf they labour, ridicule is a thousand times more effective than the most pungent logic. It is only necessary to catch a few words of some of the hearers, when the kindly-disposed adviser has withdrawn, to learn how useless is good advice to a number that need it most. That very point is one on which the adventure in a prison undertaking is likely to make shipwreck. We recognize the danger in evil results. To obtain influence over others we must have command of ourselves. The temptation is to visit the convict with severity of remark when he fails to fulfill a promise, or to take a full view of the responsibilities of his life abroad, and of the great fact that the sufferings, mortification, and sense of future loss of his proper position, is the result of his

former misconduct. The visitor's duty is then self-control, and as the want of self-control is the cause of the prisoner's crime, what hope of success can the visitor possess when he shows himself, at liberty, without self-control, trying to awake the convict to the importance of self-control, and showing that respectability, honour and wealth depend on that quality.

It is a great mistake in some visitors to suppose that there is as much difference between the mental condition of the convict and themselves as there is in the social rank of the two parties. It often happens, every day reports of the press show it, that arrests are made of men whose position is such as to startle the ordinary observer; and it happens so that even when the social position of the arrested person is degraded, he retains much of the outward manner of polished life, much of the knowledge of the rules of society which he has neglected to obey; he has only misused his acquirements, not forgotten nor neglected them. The *manners* of the world have admitted him to enjoyment of good society, and to that general confidence, the abuse of which has led him to the prison cell. And the practical educated gifts, the highly cultivated mechanic instincts, that made the skillful artisan, or even the instructive professor, have been misused, been devoted to public or individual injury, till suspicion was aroused, and detection followed, and conviction and sentence were secured. It may be asserted, and will be admitted, that men of this class of offenders deserve a punishment even more severe than is awarded to the poor fellow whose small,

almost inherent vice, tending to contemptible crime, has led him to the prison; we agree that such is a proper distinction. But, with visitors to the prison cells, punishment is not the object. They go not thither to inflict punishment, but to incite to repentance. Knowing the evil of vice and the degradation that follows its detection, "they persuade men." Their business is to win, by affectionate argument, the convict back to virtue, and that business, that great end, leads them, or should lead them, to discriminate between the stolid obtuseness of the vulgar thief and the refined, cultivated, and dangerous talents of the forger, the embezzler, the calculating rogue. Yet the language of the visitor must have a relation to the conceptions of the hearer, and the hope of success must rest only upon the certainty that what is said is listened to with evidence of approval, and that it will be made the subject of thoughtful meditation when the lesson shall have ceased.

It is not much to say that the ignorant rough, who suffers imprisonment for acts that have their origin in the lowest rank of the coarse and vulgar, will sit with entire indifference, or with a curiosity that is excited by parts that relate to himself, while the well instructed prisoner, one whose situation in life insured good education, and whose good education insured to him a certain degree of confidence which he abused, will listen, with a respect and attention that denotes comprehension, to the remarks of the visitor, who suited his discourse to the higher comprehension of the listener, and awakened reminiscences of the past,

and especially ensured a full concurrence in his educated hearer, who knew when he was entering upon the act that cost him his freedom, as well as he now knows, that such an act was *wrong*—only such a wrong act sometimes escapes detection.

If the representatives of these two classes of prisoners were occupying one cell, it will be seen how unlikely it is that the visitor should produce good to either. The simple language of argument, and the occasional illustrations that enforce argument with the vulgar prisoner, offend the more refined taste and higher judgment of his educated companion; and that elevated mode, the persuasion and argument which alone would arrest attention and lead to reflection in the man of a higher rank of qualification, would be a stumbling-block and foolishness to the vulgar prisoner.

Some, most of the visitors, understand this qualification of their mission, and effect great good, when they are so fortunate as to find a single occupant of a cell, or when it happens that both or all are upon a par in mental qualities and moral condition. That can scarcely happen; almost every old prison habitue has something upon which to build distinction, some quality or some achievement that gives him, at least in his own estimate, a right to distinction, and that right in him, of course, creates a duty in others to respect his claim. Generally the claim is founded on some achievement in crime; some hair-breadth escape from detectives and posses; some absence of witness, artfully withheld; some strange *lache* in indictment; some disagreement

of juries; these all are valuable planks in a criminal platform of respectability in the craft. But most of all, as eminently distinctive, is the great fact that, having been detected, tried, proved guilty, and sentenced to a penitentiary (a county prison is not enough), he has served out a sentence of seven or ten years, and has done enough to entitle him to a new occupancy of his prison quarters.

This last evidence of distinction and pride in profession is found with men, but is more openly expressed by women, who seem to be devoted to the business of crime when they undertake it.

In a quarrel which ensued some time since between two female prisoners, the younger tried to exalt herself by the grand boast that she had been sentenced three times to the prison. The last sentence was for three years.

"Go away," said the older one, "get out with your three years in a county prison. Why, this is my third time here, and never less than two years, while I was *seven* years in the penitentiary." In the language of the day, the younger woman "wilted down," and felt the inferiority of her claim to precedence, and from that time the older and more experienced enjoyed the distinction of priority and superiority. Her fame was spread from cell to cell, and her distinction and pre-eminence were the occasion of envy among those who were "free of the guild" of crime, and the cause of wonder to those who were waiting to see what would be the result of their first trial on a charge of felony.

It seems scarcely comprehensible, the knowledge

of such a state of mind, such an estimate of conduct, and such a ruling view of what constitutes desirable distinction, and yet it is confidently stated that use has been made of such knowledge to gain an influence over the convict that enabled the visitor to use a set of arguments, that finally prevailed, and one who made the largest boasts and proved the greatest number and largest extent of imprisonments became of settled life, and enjoyed a confidence which she had before abused.

OUR WORK.

It is known to those who have relations with the Prison Society, or who have read these Annual Reports, that the Society, while very numerous, delegates its business to an "Acting Committee," and that the Acting Committee is divided into two sub-committees ; one has visitation at the Penitentiary as its duty, with all that relates to the voluntary connection of the Society with that Institution. To the other is committed the interests of the Society in the affairs of the County Prison, also the moral instruction of the prisoners and care for their interests when they are leaving their confinement. These interests vary by the different circumstances of the two places. It ought to be understood, as it is here emphatically stated, that the mission of the Committee does not pretend to include any interference with the discipline or direction of either the Penitentiary or the County Prison. The law of the State provides that among the official

visitors to prisons are the members of "The Acting Committee of the Society for Alleviating the Miseries of Public Prisons." And the liberties thus granted individuals, if mistaken zeal should abuse, a slight hint would prove available to correct the first step, which is often costly.

These two Committees are daily represented by some of their members at the cells of the Penitentiary and of the County Prison, and while the Committees discharge special duties, certain important portions are devolved upon the respective individual Agents. Of the different character of the duties of the Agent of the Society at the Penitentiary, and those of the Agent at the County Prison, we shall speak, and noticing the works performed, there can be no doubt that either Agent would be willing to be judged by his works; and, indeed, both have been tried and found wanting in nothing—excepting, perhaps, in sufficiency of means to enlarge their usefulness.

COUNTY PRISON.

The Committee to the County Prison present, of course, an account of visits made to the occupants of the cells much less in number than are credited to the Visitors to the Penitentiary. The number of the Committee is smaller, but the difference in the number and effect of visits does not depend entirely on that. The condition of the cells for males, crowded as they are in the Pris-

on, is an important element in the statement. Yet many visits are monthly paid to the crowded cells, and the inmates may hereafter profit by the self-sacrificing exertions of their devoted visitors.

In the female department several religious ladies make regular visits, and, without doubt, do much good by kind and wholesome instruction. It is not believed that those who are irregular in their visits, and only present themselves at the wicket of the cells once in a quarter, and then only put into the prisoner's hand some hymn or tract, which very few of the prisoners can read, really produce the benefit which their good intentions would seem to deserve as a reward.

It may be said that the labours of the Society's Committee at the County Prison are producing as much good as could be expected in such circumstances as distinguish the place; and but for calling attention too directly to individuals, it would be pleasant to give some instances of apparent reformation in female prisoners, who left it with promises, stronger than words, to avoid evil conduct, evil association, and evil position.

In looking closely into the cases of prisoners whom the visitors of this Society meet in the County Prison, and inquiring into their welfare and their hopes, something of their early history, and of the immediate cause of present imprisonment, is easily learned, and a great deal is heard of the amount of innocence that is outraged in the arrest of the criminals, and of the injustice of the magistrate who has sent them to prison for punishment or trial. Sometimes it is impossible not to smile at the thin sophistry with which the prisoner

tries to present his case, and to convince the hearer of his innocence. One gentleman, who was concluding a first visit to and a walk through the prison, after seeing nearly every cell occupied, exclaimed :—

“Why, I never saw so many unoffending persons at one time ; not one that I have seen admits the justice of his commitment. This building ought to be called the ‘Chapel of the Holy Innocents.’”

Undoubtedly, among those who await a trial are many who have committed no offence worthy of imprisonment, or acquired a character to warrant the occupancy of the time of a Court, or the expenses which devolve upon the City by costs of various kinds that have to be, whether the prisoner is found innocent, or declared guilty ; and it would be well, perhaps, that such alterations were made in the law as would render these commitments out of fashion and out of order.

It has been thought appropriate to this part of the Report to look into cases of the small offenders, as they relate to the public, and especially to the City, in a pecuniary view, and to show how much more action is had in the primary Courts than is necessary to the comfort and convenience of society.

Through the Monthly Statements of Wm J. Mullen, the Agent of the Society for the County Prison, we learn not only the amount of success which has attended his labours (extracts from some of his reports are given in this number of our Journal), but we gather data therefrom to something more than the success of Mr. Mullen’s efforts. Comparing them with the reports from departments of the Prison, there results a means

of judging of the action of justice in our City, and the probable saving that is made of the funds devoted to that purpose from the proceeds of taxes on the property of our fellow-citizens.

Suppose, for example, that the whole number committed each month is two thousand (it is often more, and seldom less); a part of that number is discharged by the Inspectors. But the exertions of Mr. Mullen in behalf of the untried prisoners are often so successful as to procure the discharge before trial of about one quarter that number, who are, however, often left in prison a long time before consent is given for their release.

The whole number of commitments in one month amounts, as it has been stated, to about two thousand. From these are to be deducted those whose offences do not rise above a disgraceful debauch, and then there is to be deducted those whom the Inspectors discharge, and with all of these deductions, five or six hundred cases are sent to the Grand Jury, who usually ignore about one-third the cases submitted to them, and are by no means careless in the discharge of their duties, so that the number submitted to the Trial Jury is not more than three or four hundred, of whom one-half are found guilty, and sentenced to the County Prison. The whole number of cases that startles the observer, namely, two thousand each month of persons arrested for a violation of the law, dwindles down to less than two hundred, which the City is compelled to continue to feed, a part of whom have, for a considerable time, enjoyed her hospitality as "prisoners" awaiting trial.

The cost of the food of each prisoner is a part of the expense of the Prison, paid by the City. The cost is augmented when, to that of feeding, is added the cost of ignoring a case by the Grand Jury; but, if the prisoner, after all the sifting of his cause by the Magistrate, by Mr. Mullen, and by the Trial Jury in Court, is found guilty, the expense of clothing and food is continued as long as the Judge shall prescribe, unless death should arrest the operation of the law of the State—and the convict be discharged by a higher Court. The cost of burying the deceased is another item in the history of convicts, and in the expense that attends the administration of justice.

This is not said with a view of showing the effects of the action of a Prison Agent on the expenses of the Prison and of the Courts, but, for the present, to point to a mode of administering justice in our City, which seems not to lessen crime, while it multiplies prisoners, and augments expenditures.

If any one has time and patience to look into the statement which we have given above, he will draw a conclusion therefrom that the primary Judiciary of our City needs some direction. And a little attention to the Acts of Assembly, and a little conversation with some of our best criminal Judges (and we have good ones), would considerably diminish the number of commitments, and lessen the expenses of the City without withdrawing a dollar from the lawful compensation of the "Magistrates."

In exhibiting an approximate statement of the commitments to, and discharges from, the County Prison,

and in showing how unnecessary is a large portion of these commitments, we do not mean to enter into any motives of the Magistrate in sending so many to the Prison on trifling charges, which are never proved in Court, and which indeed a large portion of the prosecutors never mean to prove, although the charge which they make, and on which the commitment is founded, is made under the solemnity of a judicial oath. An oath which, under ordinary circumstances, the magistrate must respect, is sufficient to ensure commitment, and it will be recollected that at the "hearing" before the Magistrate, only the charge *against* the prisoner is heard, and he is sent down to Moyamensing to await an indefinite period the trial of the case at Court, when testimony in his favour might be heard.

The Magistrates often act upon the principle that if a charge is made and substantiated by oath, they must hold the accused for trial, and furnish investigation, and that is, of course, the spirit and meaning of the law, and the general practice of Magistrates. But it must often be evident to the Magistrate that the complainant is exaggerating the evil of which he complains, and that it would be best for both parties, and for the City, that the complaint should not be taken. Expense to the City, misery to the family deprived of its head for a time, follow the multitude of commitments, and the Magistrate should feel himself authorized by law to dismiss, at once, charges that are frivolous, and which, it is probable will not be followed up. Or there should be a magis-

tracy with power to hear both sides, and judge in these trifling cases without subjecting them to the action of Grand Juries and Court.

In what has been said touching the experience of visitors to the Prison, and the experiences of the Agent, it is admitted that some departure has been made from what is given as the legitimate and professed course of the Society. Yet it is not irrelevant. If we complain of inability to instruct and persuade prisoners in mass, and if we show that their comforts are abridged, and their health endangered by such a packing, then it would seem that we are alleviating the miseries of prisons when we point out the cause, as well as the extent of that misery, and suggest a remedy, and with that motive, and excited further to action by the movements elsewhere, which we would second, the subject is presented here which would be supposed to belong to Inspectors and Courts, and which, we are happy to know and state, has specially arrested attention and ensured action in such bodies. But we have, as a Society, a claim to be heard beyond the rights which belong to the members as tax-paying citizens, when it is known that the special privilege granted by Act of Assembly to the members of the Acting Committee is granted upon the ground of humane interference in the cause of the prisoner, and a devotion to the moral culture and physical benefit of the inmates of prisons and penitentiaries, and when it is made evident that the efforts to perform those good acts are rendered unavailing by the unlawful condition of the cells, and, perhaps, in part, by the unnecessary commitments upon trivial charges.

The State has done wisely in opening the cell doors of the prison to those who come to make imprisonment a means of improvement no less than it is a means of punishment. And we think that our Society has shown itself eminently deserving that special legislation ; and it is believed that the plain and emphatic exposition of the impediments to the useful movement of the representatives of the Society in their prison labour is eminently due to the cause which we advocate, and to the men whose labours we explain.

While what is understood as the ordinary work of Committees who visit the Prison and Penitentiary, consists in advice, instruction and persuasion to good, followed by plans and their execution for the benefit of the prisoner when he shall have gained his liberty; there is a great work for the two Agents, who may be considered as executive officers of their respective Committees, with power to each to seek cases and deal with them, with or without the immediate advice of the Committee, but within the limits of duty prescribed by the Society.

None but those who have visited the Prison with the Committee, and heard the particular demands and expressions of want by the prisoner, can comprehend the various occupations of the Agent. We shall endeavor to show, by detailing results, a part of what is done, and, in some measure, how it is done. Referring, in return, to the two Agents, we first, because speaking at the time of the County Prison, mention Mr. Mullen.

WILLIAM J. MULLEN.

William J. Mullen still discharges the duties of Agent of this Society, and of the Prison—for the County. It is repeated, William J. Mullen still *discharges* the duties of Agent of the Society for the County Prison, and that assertion means much more than would be conveyed by the statement that Mr. Mullen still holds the place of Agent. We do not mean to make the "Report" a simple laudation of the persons employed by the Society, but we feel it due to the Agent for the County Prison to say that he has great and vexatious duties; that he has before him a task which seems "never ending, still beginning," and that the task is performed not as a task, but as a pleasant duty, whose full discharge must depend less upon prescribed limits than upon a full and proper conception of the intention of the Society, and a conscientious devotion to all its details. No man can fully meet the calls which arise out of the position of Prison Agent, who makes his compensation a measure of effect. No man will or can undertake the duties of that place who has not a compensation in expectancy, and that expectancy must in no way be connected with any particular case which may demand attention and occupy time. The man who cannot divest himself entirely of the idea of pay, while he is on active duty as an Agent, is not fit for the place. The man who would pretend that he would do the duties of an Agent without a compensation is not fit for any place. "The labourer is worthy of his hire," says the Scripture;

and Mr. Mullen does labour effectively and heartily, and he labors in the name, and for the objects, and under authority of the Society, and of the Board of Directors of the Prison. And we say this, that the hundreds who are obtaining release and relief by his exertions may know that while working for them, Mr. Mullen is carrying out the views of this Society. The good he effects in his official labours is without doubt greatly to his credit as an Agent; but it is to the true honour of the Society, of which it may be said:—*Qui facit per alium facit per se.*

We have, from time to time, thought of the possibility that too much space had once or twice been allowed in the Journal to the statements by the Agents of cases of some importance in which they had successfully laboured, but, perhaps, no statement could more effectually set forth the character, motives and objects of the Society than abstracts of some of the reports of the Agents. No argument we could use in favour of the good we *propose* to do would be so effective, so convincing, as a simple statement of *what we have done*. With the motive, then, of first letting the Society know what the Committees have been doing, and then of letting the world know why and to what end the Society exists and dedicates a part of its labours and influences, a considerable number of cases reported by Mr. Mullen are presented, that is, some cases from the many thousands that he successfully laboured with.

Selection from cases reported by the Prison Agent of the Society, at the County Prison.

WM. J. MULLEN'S REPORT.

PHILADELPHIA, November 24, 1877.

To the Chairman of the Editorial Board of the "Philadelphia Society for Alleviating the Miseries of Public Prisons."—

SIR :—

In compliance with your request, I have given you a statement of the number of cases that I have caused to be released from our County Prison within the past year, and this, accompanied by some of the cases as taken from the whole number. 'They were all "Court cases," and were released with the consent of the proper authorities, and, in most instances, with the consent of the prosecutors.

Number of prisoners released through the interference of the Agent within the past year, from November 24, 1876, to November 24, 1877, was two thousand six hundred and twenty-six (2,626). This was done at a saving to the taxpayers of thirty-three thousand four hundred and twenty-nine dollars and ninety-seven cents, (\$33,429 97). Of which sum there would have been required to be expended for the ignoring of their cases the sum of twenty thousand ninety-nine dollars and seventy-five cents, (\$20,099 75).

In addition to this, the sum of thirteen thousand three hundred and thirty dollars and twenty-two cents, (\$13,330 22) would have been required to be paid for their support, at twenty cents per day, from the time they were released to the earliest period that their cases could be disposed of, which would be at the commencement of each term of the Criminal Court.

Amount of prisoners' money expended as costs in the settlement of their cases, which was paid to the Magistrates and others, was twenty-two dollars (\$22).

The whole number of prisoners released through the interference of the Agent, within the last twenty-four years, since the com-

mencement of the Agency, is forty-three thousand four hundred and ninety-five (43,495).

In addition to the above, there have been six hundred letters written, within the past year, for prisoners and their friends.

WM. J. MULLEN,

Agent.

NUMBER 1 :—Was the case of a worthy man, who was a resident of the State of Rhode Island, who had been tried and convicted, and sentenced to an imprisonment of three years, upon a charge of larceny of a number of articles of but little value, that were said to have been taken from the Centennial Exhibition; he was a carpenter that the contributors to the Exhibition had employed, from time to time, to put up tables and platforms, suitable for the display of their goods. These persons that had engaged him to work for them at the Exhibition gave him the articles that the prisoner was accused of stealing. When he made this statement to the Court, it was not believed. After he had been sentenced, he wrote a letter to his good wife, in New England, informing her of his conviction, in which he protested his innocence; his wife took the letter into the Court of the town where she resided, and laid it upon the Clerk's desk, and asked to have it read. After her request had been complied with, as he was favorably known to his townsmen as an honest man, a petition was at once gotten up, and extensively signed by the officers of the Court and others, many of whom stated they had known him from his infancy, and they believed him to be an honest, industrious man, who was worthy of the respect of all whom he was associated with. This petition was placed in the hands of Mr. Elisha Potter, a former Clerk of the Court, who was authorized to come to Philadelphia, and acquaint the authorities here of the previous good character of this man, who, they thought, was incapable of committing such a crime as he had been convicted of and sentenced to an imprisonment of three years. When this information was brought to the notice of your Agent by the messenger from New England, he at once accompanied the gentleman to the residence

of Judge Allison, after which the Judge gave an order to your Agent that authorized the prisoner to be brought out of Prison in charge of a Court officer, and placed in the hands of Captain Heins, the detective, who was instrumental in having him convicted. This officer was instructed to take the prisoner, accompanied by an officer of the Court, and afford him every facility to establish his innocence, if possible. With this advantage having been given him by the Judge, your Agent assisted in the investigation, and saw that letters were obtained from the owners, who stated they had given him the articles that he was accused of stealing, and that they never thought for a moment that he had come by the articles, he had in his possession, dishonestly, as they knew that they had given them to him. The principal articles that he was accused of stealing were two (2) pairs of scissors and two (2) razors, there were many other articles that he had in his possession that had been given him, that were not included in the Bill-of-Indictment. The result of this investigation was so favorable as to induce Detective Heins, who was instrumental in convicting the prisoner, to write a letter to Judge Allison, that gave the history of the investigation in such a favorable light as to have induced the Judge to do what he had never done before, and that was to write a letter to the Board of Pardons, asking for the prisoner's release from the prison by pardoning him, as the after discovered testimony showed that he was not guilty of the offence for which he was convicted. This letter from the Judge was received with favor, and the prisoner was pardoned, and permitted to return to his home in New England. By this interference in his behalf, he was saved from an imprisonment of nearly three years, which would have been the case if it had not been for this effort that was made in his favor by your Agent, assisted by Mr. Potter. This saved his reputation, and restored him to his family and friends.

NUMBER 2:—Was that of a poor woman, who was imprisoned upon the charge of the larceny of a tin can, valued at twenty-five cents. She said she found it, and did not steal it. As she was the mother of five children, and had a blind husband depend-

ant upon her for support, the Agent explained her case to the District Attorney, and saw that her case was ignored, and she was released from Prison.

NUMBER 3:—Was the case of a respectable woman that was imprisoned upon three different charges, one of which was for the larceny of fifty cents; another was that of obtaining five days' board upon false pretence; another was the taking of some artificial wax fruit, of her own make, that she had given as security for her board. At the request of Inspector Chandler, the Agent gave special attention to this case, conferred with the District Attorney, and saw that the case was promptly returned by the Magistrate, after which the charges were finally disposed of, they having been ignored by the Grand Jury. There was no truth in any of these charges that were brought against this woman. The prosecutor himself became very much frightened at the great wrong he had done, in instituting this prosecution. After the case was ignored, he came down to the prison, expressed his regret to the prisoner, at having instituted these prosecutions against her; and gave back the money that he had taken from her at the time that he had her arrested. The Agent obtained her discharge from the Clerk of the Court, and accompanied her to the Baltimore Depot, and procured a free pass that took her to her friends in Baltimore. She had previously been employed in this city. She expressed herself as truly grateful for the friendly interference she had received in her behalf, which gave her liberty, and saved her from a conviction.

NUMBER 4:—Was an important case of a man who had an interesting family; who was in the employ of a firm on Market street as a salesman. His previous character was very good. He occupied a prominent position in a church, of which he was the leader of the choir. The prisoner was accused of the larceny of a shawl, of but little value. Four shawls that had been sent out by the firm as samples had been given to the prisoner to return to his employers. He retained one of the four articles for himself, and reported that the whole four had been returned to the firm. When he was

detected in this misrepresentation, he was arrested and committed to prison for trial. Soon after his imprisonment, your Agent received a note from the firm that he defrauded, requesting the interference of your Agent to have the case settled, as they did not desire to prosecute the prisoner, as they pitied his family, as his pastor and neighbours begged to have the case settled, and the prisoner released. The Agent interfered, and saw that the case was settled with the consent of the District Attorney, who was willing that the case might be "ignored," after which the prisoner was released, to the great gratification of his many friends, who, like himself, sincerely deplored the great wrong that he had done in purloining the property of those that employed him.

NUMBER 5 :—Was also the case of a man of family, who had been committed to prison upon the charge of "Breach-of-the-Peace." He would have lost his situation had not the Agent promptly procured his release from prison.

NUMBER 6 .—Was that of a respectable man and his wife who were improperly arrested and imprisoned upon the charge of "Threats." Their case was immediately returned to the Court by the Magistrate after they had been detained in prison for one month, and as no prosecutor could be found to substantiate the charge that had been brought against them, your Agent drew the attention of the District Attorney to the case, and obtained their release from prison. A great wrong had been done to these people, who were unnecessarily taken from their homes and imprisoned.

NUMBER 7 :—Was that of a man who had been committed to prison upon the charge of "Wife Desertion." After he had been in prison for one hundred and eight days your Agent supplied him with able counsel, had him brought before the Court, and discharged upon his own bail. This was a case of great persecution upon the part of his wife, who seemed to have taken delight in keeping her husband in prison.

NUMBER 8 :—Was a remarkable case of distress, that was occasioned by poverty. It was that of a German woman, whose hus-

band was out of employment, and herself and three months' old babe were suffering for the want of food and fuel. She lived in a rural district near Frankford. She came to a friend's house in the City, from whom she intended to ask assistance. Just as she was about to do this, her friend laid a pocket-book in the closet, with considerable money in it, then went into the yard for a few minutes to feed her chickens. In the meantime, the prisoner went to her pocket-book, and extracted two twenty-five cent notes from it, to relieve her immediate wants. Just as she had accomplished this, her friend came in from the yard and caught her in the act of taking the money. For this she was arrested and imprisoned, and separated from her sucking infant, that needed nourishment from its mother's breast, which was very much swollen and caused her great pain for the want of her infant to relieve her. As soon as the Agent was informed of this state of things by Inspector Chandler, the Agent went to the Court and obtained authority from the District Attorney's office to obtain a return of the case from the Magistrate, and also received authority to subpoena the prosecutor to appear before the Grand Jury, at which time she regretted having instituted the suit against the prisoner. She said she would not have done so had she known that it would have separated her from her infant, and had she been aware of the prisoner's extreme poverty at the time she committed the act. She asked to have the case ignored, and the prisoner released at once. This request was complied with, and the prisoner was released, and taken charge of by the Agent, who gave her sufficient money to meet her immediate wants. This prompt interference upon the part of your Agent in procuring this release, caused the poor woman to express her gratitude in saving her from having a gathered breast, which, in all probability, would have been the case had she remained in prison much longer.

NUMBER 9:—Was the case of a sailor who was a stranger in our port. He had become intoxicated, at which time he broke some panes of glass, of but little value, for which offence he was arrested and imprisoned. The Agent went to the Magistrate, explained his case, and obtained his discharge. This interference on the part

of the Agent prevented him from losing his situation, as his vessel was about leaving the port. The damaged glass was paid for.

NUMBER 10:—Was the case of an honest, industrious German man, that was imprisoned upon the charge of "Assault and Battery," which consisted in the prisoner having kicked a boy that had upset his dinner kettle on board of the boat while crossing the river, on his way from Burlington to come to his employment in this City. He was employed by a firm in this City for whom he had worked for the last seven years. He resided in New Jersey near Burlington, in the Pines, where he could get house rent cheap. He had a worthy wife and five (5) children dependent upon him for support. His children contributed towards their maintenance by gathering berries in the summer season in the Pines, which they would dispose of to the passengers that came along in the New York trains. Their father was tried, convicted, and sentenced to an imprisonment of three months for the above named offence. This took place in the Winter season, when there were no berries to be gathered and disposed of for the benefit of the family. As they were poor, and in a destitute condition, and were suffering for the necessaries of life, and as the prisoner had an excellent character for peace and quietness, your Agent obtained a letter from his employers to Judge Thayer, and the prosecutor, who joined with your Agent, asking for a reconsideration of his sentence. The request was complied with, the prisoner's sentence was reconsidered, and he was released with the consent of the prosecutor, who brought his discharge down to the prison, and became friends with him, after he had been made acquainted with all the facts of the case, particularly in reference to the distress that he had occasioned to the prisoner's family. As he was penniless Inspector Chandler released him from the fine of ten dollars, and the payment of the costs. The Agent supplied him sufficient money to take him to his home in New Jersey, for which he expressed his gratitude to your Agent, with tears flowing from his eyes, for the friendly interference in his behalf that saved his family from ruin. He was an old man, about sixty years of age. It was a real charity to

relieve him from the imprisonment. The boy was in fault in upsetting this man's dinner upon the deck of the steamer.

NUMBER 11 :—Was that of two young girls who had been committed to Prison upon the charge of "Larceny." They were released with the consent of the Court, after which the Agent took charge of them, and placed them in the Howard Home, where they will have to remain for one year, to receive such instruction as will prove a benefit to them for the future.

NUMBER 12 :—Was the case of a respectable poor woman, of good character, that was imprisoned upon the charge of the larceny of a newspaper valued at one cent. She was out of employment, and was desirous of getting a situation; she rose very early in the morning, and went to the door of a neighboring grocery store, and picked up the Public Ledger, and set herself down upon the steps, and commenced reading the advertisements, with a view of learning from the paper the name and residence of some one that wanted to employ a servant. She had scarcely commenced reading the wants, before she was arrested by an officer, who caused her to be committed to prison upon the above charge. The Agent immediately took charge of her case, and saw that it was ignored, upon her having given proof of her good character.

NUMBER 13 :—Was also that of a poor woman who was committed to prison upon the charge of "Malicious Mischief," and larceny of a fire brick that was in a stove that she had rented of her landlord. As she had six children dependent upon her for support, the Agent interfered in her case, and paid fifty cents for the brick, and obtained the prosecutor's consent to her release from prison. The real cause of her imprisonment was that she was indebted to the prosecutor for rent, and he resorted to this method of getting her off of his premises.

NUMBER 14 :—Was the case of a woman that was committed to prison upon the charge of "Breach-of-the-Peace." She had been separated from her infant, that had been left in charge of a feeble

old woman who was unable to care for it. Your Agent went to the Magistrate and obtained her release.

NUMBER 15 :—Was that of a boy fourteen years of age, of good character, who had been imprisoned upon the charge of "Homicide." The prisoner and the deceased were employed in the same foundry. The deceased was constantly tantalizing the prisoner by calling his mother disreputable names, in the presence of his fellow-workmen. This so exasperated the prisoner that he picked up a piece of coal and threw it at the deceased. It struck him on the head. He died a few days after this occurrence. The Agent supplied the prisoner with competent counsel, in the person of William N. Ashman, who defended him in such a way as resulted in his acquittal, as the physicians could not testify as to the real cause of the death of the deceased.

NUMBER 16 :—Was the case of a woman who was committed to prison upon the charge of attempting to pick pockets. As she was about to give birth to an infant, your Agent gave special attention to her case, and found upon investigation that the testimony against her was not sufficient to justify her committal to prison. The Agent prevailed upon the Magistrate to give his consent to release her upon bail in time to get to her home, where she could receive such attention as was necessary for a woman in her situation.

NUMBER 17 :—Was that of a poor blind man who was committed to prison upon the charge of "Assault and Battery." The Agent obtained a note from the prosecutor to the District Attorney consenting to withdraw the charge against the prisoner, after which his case was settled by submitting it to the Jury, without evidence. The real cause of the difficulty was that the prisoner was minus the sum of two dollars in the payment of his rent. His prosecutor undertook to put him off the premises in a summary manner, at which time he made some resistance. For this he was imprisoned.

NUMBER 18 :—Was the case of a poor woman who was committed to prison upon the charge of "Assault and Battery." She was arrested at a time when she was assisting in taking her husband to the

hospital. The Agent interfered in her behalf, and saw that she was promptly released from prison.

NUMBER 19 :—Was that of a young girl who was committed to prison upon the charge of the larceny of a dress, of but little value. The Agent induced the Judge to refrain from sentencing her, with the understanding that he (the Agent) was to take her to the House of the Good Shepherd, where she would be cared for and receive such instruction as would be likely to cause her to be honest for the future. This was done with the consent of the prosecutor and the Court.

NUMBER 20 :—Was also the case of a young girl who was committed to prison upon the larceny of an apron, of but little value. The Court consented that she might also be taken to the House of the Good Shepherd by the Agent, where she would have to remain for a year to receive such instruction as would be calculated to cause her to be honest for the future.

NUMBER 21 :—Was that of a woman who was arrested and committed to prison upon the charge of "Breach-of-the-Peace." A warrant had also been taken out to imprison her husband. Your Agent saw their landlord, who was the prosecutor, who consented to their release on condition that they would immediately move away from his premises. This they consented to do. The real cause of imprisonment was that they owed a trifle to their prosecutor for rent.

NUMBER 22 :—Was also the case of a poor woman who was committed to prison upon the charge of "Assault and Battery." As she was the mother of four children, that were left in a starving condition, and as they were suffering for the want of the necessities of life, the Agent saw the prosecutor, and induced him to go to the Magistrate and ask for her immediate release from prison.

NUMBER 23 :—Was that of a woman who was committed to prison upon the charge of a "Common Scold." She got herself into the difficulty by abusing her neighbours, at a time when she was in-

toxicated. The prisoner was the mother of five children, who required her care.

NUMBER 24 :—Was that of a man who was committed to prison upon the charge of "Assault and Battery with Attempt to kill." His wife had died soon after his imprisonment. It was necessary that he should be released from prison for the purpose of attending to the burial of his wife. This being the case, your Agent induced Judge Ludlow to take him for bail. This was done by a special request from the Court that the prisoner should be restored to prison immediately after the funeral of his wife. This request was carried out in good faith by your Agent, who placed the prisoner in the hands of a deputy sheriff, with a bail piece to take him from the prison to the funeral, after which he was returned to prison again to await his trial. When Judge Ludlow was informed of the extreme distress that existed in the prisoner's home at the time of the funeral, where his seven motherless children were seen, and their pitiful cries heard for their father to care for them at a time when he was about to be separated from them and returned to prison ; when this information was given to the Judge he allowed the prisoner to be released upon his own bail for the purpose of returning to his home to take charge of his helpless family.

NUMBER 25 :—Was the case of a poor German man, who was tried, convicted, and sentenced, by Judge Yerkes, to an imprisonment of nine months, for the larceny of some furniture that he had been employed, by an old convict, to haul to the wharf, to be placed in a vessel to be taken to Baltimore. The furniture consisted of two car loads ; the first load was taken and placed in the vessel, in accordance with the wishes of the owner. The second was taken and placed in an empty house, as directed by the thief, who had contracted with the prisoner to do the hauling for the owner. When the goods were delivered, the prisoner asked his pay for his services. His contractor, who was himself a thief, requested him to retain a piece of oil cloth of but little value, until the next day, when he would receive his pay for the hauling ; so that the prisoner received nothing for his services, except a piece of oil cloth,

which was valued at fifty cents. The owner of the goods succeeded in having the convict and the prisoner convicted of the larceny of having taken the furniture. The convict, who was the contractor in the case, was sentenced to one year's imprisonment, and the prisoner, who was the victim, was sentenced to an imprisonment of nine months, notwithstanding he was ably defended at the time of the trial. The circumstance of his retaining a small portion of the goods, which consisted of the piece of oil cloth, and the fact of his being in company of a thief, notwithstanding he was a stranger to him, caused his conviction, with a recommendation to mercy by the jury, as he had a worthy wife and family, and four children dependent upon him for support. The Agent interested himself in his behalf, and got Judge Yerkes' promise to hear testimony as to the previous good character of the prisoner. More than twenty respectable persons came forward as witnesses, many of whom had known him for many years, as an honest, sober, industrious good man. One of his employers certified to me that he had been in his employ for more than five years, and was in every way trustworthy. The respectability of the witnesses that testified in Court to his good character, soon satisfied the Judge that it would be in every way proper to reconsider the sentence, and let him off without any other punishment than the thirteen days that he had been in prison while the investigation was made. His release not only gave great satisfaction to his helpless family, but to his former employers and his friends generally. If it had not been for this friendly interference of the Agent, and that of Mr. Kinike and Mr. Wolf, this man's home might have been broken up, and the family ruined.

NUMBER 26:—Was the case of a sailor, who was committed to prison upon the charge of "Breach-of-the-Peace," he got into the difficulty by becoming intoxicated. As his vessel was about leaving this port, and he was in danger of losing his clothes, and his situation, and pay, the Agent interfered in his behalf and obtained his release from prison in time for him to ship and leave with the vessel.

NUMBER 27:—Were the cases of two little boys, one of whom

was five years of age, and the other was less than seven years. They had been committed to prison by the Magistrate for the larceny of two clay pipes that were valued at one cent each. As it was their first offence, and as they were of that tender age that made their commitment unlawful, the Agent went to the Magistrate and obtained their immediate discharge, after which they were sent to their homes to be taken charge of by their parents. When your Agent informed Judge Briggs of the commitments, the Judge said their imprisonment was unlawful, and that a Magistrate had no right to commit a boy to prison under seven years of age. He said if the case had been brought before him, he would have at once discharged them.

NUMBER 28 :—Was the case of a worthy woman who was imprisoned upon the charge of the larceny of an article of woman's apparel, of but little value. As it did not appear that she was guilty, your Agent supplied her with counsel, and she was honorably acquitted of this charge by the Jury.

NUMBER 29 :—Was that of a man who was committed to prison upon the charge of the larceny of a horse and wagon, which he used in huckstering. The Agent interfered in his behalf, supplied him with counsel, who satisfied the Court and the Jury that the prisoner was intoxicated at the time he committed the offence. As the property taken was restored again to the owner, the prisoner was discharged after receiving but a few days imprisonment.

NUMBER 30 :—Was the case of a man who was committed to prison upon the charge of "Malicious Mischief," which consisted in his breaking a pane of glass, of but little value. As he was a member of the Fire Department, and as his services were required in the interest of the City, the Agent went to the prosecutor and obtained a note to the District Attorney consenting that a *nol. pros.* be entered in the case. This request was complied with and the prisoner was released.

NUMBER 31 :—Was the case of a boy who was committed to prison upon the charge of the larceny of a saw. As the boy said

he was not guilty, and as he had more than one witness to prove that he borrowed the article from the person that had charge of the saws that were on exhibition, and as he himself was employed at the "Centennial," and had use for the article to saw a board in connection with the stand where he was employed as an exhibitor, and as your Agent had known the boy from his infancy, as his parents were honest and respectable, your Agent went to the prosecutor and endeavored to convince him that he had made a mistake in commencing the prosecution, and that the boy was incapable, from his early training, to commit such a petty larceny. But as the prosecutor was an uncouth, rough man, that was anxious to make something by the prosecution, he refused to settle the case unless he received the sum of fifty (50) dollars. Your Agent then informed him that he had made himself liable to a prosecution by making such a proposition for the settlement of the case. After this much had been done, the Agent saw that the case was promptly returned to Court, supplied the boy with counsel, and saw that he was honorably discharged from prison, to the great gratification of himself and parents.

NUMBER 32:—Was the case of a poor woman, who was committed to prison upon the charge of "Assault and Battery." She got herself into the difficulty by asking her prosecutor for money that was due her for board. Instead of complying with her just demand he struck her in the face, and imprisoned her upon a charge for which he himself should have been imprisoned. The Agent went to the Magistrate, explained her case, and obtained her release.

NUMBER 33:—Was that of an industrious, worthy colored woman, who was imprisoned upon the charge of "Breach-of-the-Peace" and "Abuse." The Agent's attention was drawn to the case by the Grand Jury, at a time when they visited the Prison. The investigation showed that she had been wrongfully arrested and imprisoned, at a time when she was returning to her home after having delivered to the owner several articles of clothing that had been previously given to her to wash. She was a peaceful woman of good character, and was not guilty of the charge that

she was accused of. When these facts were made known to the Magistrate, the Agent obtained her discharge.

NUMBER 34 :—Was that of a small boy, of respectable parentage, who was imprisoned upon the charge of the larceny of a cake of soap, valued at nine cents. The prisoner simply picked up the article to smell it, as he says, with no intention of keeping it. The Agent explained his case to the Court, after which it was submitted to the Jury without evidence, he was at once released from custody without having been disgraced by a conviction.

NUMBER 35 :—Was that of a small boy, who was imprisoned upon the charge of the larceny of some old paper and other articles, of but little value, that the boy had found in the upper part of an unoccupied house. At the request of Inspector Wetherill, the Agent gave special attention to the case, after which it was ignored by the Grand Jury, with the consent of the District Attorney.

NUMBER 36 :—Was the case of a poor old man, who was committed to Prison upon the charge of "Cruelty" to his horse. The animal was old and feeble, and was not fit for use. Soon after the prisoner had been imprisoned, your Agent received a letter from the Magistrate, who informed him that the man was in no better condition than the horse ; this being the case, he was released from Prison.

NUMBER 37 :—Was that of a feeble-minded old woman, who was also imprisoned upon the charge of the larceny of a cake of soap, of but little value. The Agent procured her release from the Magistrate, and saw that she was taken charge of by her son, who was abundantly able to provide for her, he said he would see to her case, and do what he could to prevent her from getting into any trouble again. The Agent went to the Magistrate and procured her release, upon condition that she would refrain from the use of strong drink for the future. After this much had been accomplished for her benefit, Inspector Chandler administered the pledge to her.

REMARKS ON WM. J. MULLEN'S REPORT.

On looking back upon the statement of the Agent's success, it may be asked whether it is believed that all these persons thus released from prison, and from further responsibilities for their past acts, were really innocent of the charges upon which they had been imprisoned? And truth obliges us to answer in the negative. They were not all innocent; some of them were guilty in the manner and form charged. Then, upon the old maxim about a condemnation awaiting those who absolve the guilty, how does Mr. Mullen and his advisers stand?

The answer is ready:—There are degrees of guilt in acts, and there are degrees of crime in intention. In some the extent of the evil consequences of the deed may be considered. Perhaps those who hastily judge will ask whether the act is wrong in itself, or whether it only becomes a crime by being unlawful.

It is not supposed that the Agent of the Society is going to coerce or secure by humiliating solicitation the release of a prisoner who is really guilty just for the sake of triumphing in his success. He will not overlook the consideration due to a just statement that the act of criminality charged was the successful result of a long entertained plan. He will not shut his eyes to what would be otherwise observable, that the mischief of the criminal act of the prisoner extended in direct and casual influence to numerous persons. Nor will he fail to consider between the character of a deed that is not bad in itself, and one

that becomes a crime only in being against some new and special enactment.

The Agent of the Society, in the course of his daily labour, has cases referred to him by Inspectors, or thrust upon him for action by persons who know and who lead him to believe that a charge has been falsely made against a person, and he is without means to prove his innocence, and without friends to help him into liberty till he makes evident his innocence.

In the above statement by the Agent there is cited a case of a man from a distant State who was arrested in this City on a charge of larceny, who was indicted, tried, pronounced guilty, and sentenced to a long term of imprisonment. An appeal by friends, at the prisoners's home, led the Agent to institute inquiry. He pursued it till satisfied of the innocence of the *convict*; he laboured with solicited help until he procured the pardon of the man upon a clear evidence of his innocence, that is, clearly as a negative can be proved. This man has been a full year with his family, enjoying among his kin-people and neighbors a respect and a confidence which had never been interrupted before his unfortunate arrest on a charge of felony.

There can be no doubt of the innocence of that man, but without the spirited interference of the Agent the sufferer might have languished in prison, and none but a few friends—his wife and children—would have maintained a belief in his innocence; and even those children and that mother would have been forced to bear the cold endurance, if not the open repulse of a com-

munity, who find it less easy to inquire after truth than to ostracise the wife and children of a man imprisoned on a charge of felony.

We refer now to no other case of the Agent's great success. That one instance fixes the value of the Agency for which we are arguing, rather than for the Agent. That instance could not be cited in favour of the Agency if the Agent had not comprehended the importance of his duties and hastened, almost against all hope, to show himself equal to his mission.

But does not the Agent sometimes secure the release of persons who are not innocent?

Certainly ; there can be no doubt that he has interfered many times in behalf of prisoners who were not innocent, as it regarded the very act charged against them.

There are, in certain classes of citizens, some, and not a very few, who keep the peace, and behave with considerable decorum till they get into wrong company, or get wrong in pretty good company, and then, after devotions to the bottle, they manifest a restlessness of temper that leads to a "Breach-of-Peace," if not indeed to actual "Assault-and-Battery." Now public justice does not suffer much when such persons, after taking a pledge to abstain for a certain time from liquor, are permitted to return to the care of their families—if a man, to his ordinary work—if a woman, to the care of a family, which, with such folks, generally means half a dozen children, the care of whom devolved upon the father during the mother's absence, and that care prevented him from

earning, day by day, the daily bread of himself and his little ones, with whom, too often, want and misery give the first lesson upon the old assertion, "We must live," and the parent and the older children give a practical illustration of the most wretched idea that "It is no harm to steal when one is hungry."

There are prisoners who have been permitted by parents to select their companions, or to accept any that came along. These soon follow the lead of their elders, and before they have committed a crime are swept up with a crowd and judged of by their companions. Such prisoners as these are reported for the good offices of the Agent, and his efforts to procure their release are usually crowned with success, and, what is more, many of these young men or women receive a lesson in their imprisonment which serves to correct them, and place them once more in the way to do right. Surely, such an interference must be regarded as beneficial to society, as well as to the erring one.

Only those whose occupation, or whose mission, places them in the way of knowing not only the prisoner, but the prisoner's history, can tell how important to all his coming time, perhaps to his eternity, is the timely interference of one who, with power and habits of discrimination, can look below the moral filth that defiles the character of the young prisoner, and discern unruined capabilities, and invite, encourage and aid in their development.

An ancient writer has said that every block of marble contains a statue of some god or some distinguished mortal, and nothing is wanted but the artist

to clear away the surrounding mass and disclose the figure, so, indeed, do we find that in some of the prisoners ruined by bad associations, and defaced and deformed by such companions, there remains, deeply imbedded, but yet accessible to kindness and perseverance, the possibilities of much good. It is a painful, it is a self-denying task, to undertake the development; but if successful, what is the fame of Phidias or Praxitiles to the triumph of the moral artist who brings forth good from such a shapeless block?

EASTERN PENITENTIARY.

We give more space to records, statements and arguments relating to the County Prison than we allow to conditions and actions at the Eastern Penitentiary. And that is also the case with our notice of the respective agents of the Society for those two penal institutions in this City.

In the Penitentiary, while large numbers are there—many of them come from other Eastern Counties of our State—of whose antecedents we know very little, and they consequently awaken less individual interest. Whether from the City, or from the neighboring Counties, their fate, as to the crime with which they have been charged, is fixed, and unless executive clemency intervenes, they must serve out the sentence which the Court has pronounced, if indeed their imprisonment should not be closed by death, a species of discharge that sometimes takes place even in the

Penitentiary. In the County Prison, no sooner is a person committed, than efforts are demanded from the Agent to procure a settlement; if that fails, then to procure bail. And almost every new case, excepting a commitment for drunkenness, appeals to the Agent for some help, some interference, with an assurance that great wrong has been inflicted, that, instead of committing "Assault-and-Battery," the complaining prisoner had only taken two or three glasses, or, maybe, a "drap" with a neighbour. There can scarcely be found a more compact body of "innocents" than fills the cells of the County Prison, especially if they may testify in their own behalf; and if they do not know what they say and do themselves, who does?

Mr. Walter, the Agent of the Society for the State Prison (the Eastern Penitentiary), has not these multiplied and vexatious cares devolved upon him. He has no settlement to negotiate between the offender and the offended, and has nothing to do with the Courts, with looking for, or becoming bail; but he has a place of great responsibility and much anxiety. To Mr. Walter belongs the task of ascertaining the antecedents and character of the convict, of judging from that knowledge of the kind of services which he is to undertake in behalf of the man, when his time of service, his sentence, shall have expired. Shall such a person go into the City, and mingle with the crowd that are seeking the means of living honestly or dishonestly, making use of the art which brought him to the State Prison, where he had a chance, if he

had a cell companion, of quickening his faculties by fruitful lessons from others ; or dwelling upon his own experience of success or failure, and planning schemes by which he should augment the first, and escape the latter. Or shall the released convict return to the home which he has desecrated, in the neighbourhood where he stands an object of scorn? There may be at that home a wife who, through the season of trial, watched with affectionate solicitude the result of the proceedings of the Court, and the verdict of the Jury ; and during all the incarceration, waited for the appointed time of his release, forgiving the sorrow that his misconduct has brought on her, and the disgrace that it has inflicted on their children. Is he fitted to return to the family, and patiently await the recovery of a portion of public confidence, and feel that the first notice by old neighbours is rather the result of enforced charity than a return of respect, and the measured salutation still partakes of the crime committed, and of Penitentiary recollection? For, all these and more he must learn to endure. The State Prison was the punishment which the law of the State awarded for his misconduct. The subdued greeting, the partial confidence, are what the laws of social life prescribe. The Agent for the Penitentiary must understand all these things. He must know what the City has for the man who immigrates hither through the State Prison. Worse, and more numerous, snares are around him than were spread in the rural district, and lures are at every hand to coax him into those snares, to say nothing of the possibly slumbering spark,

in the ashes of vice, which he thought destroyed. Mr. Walter must know these and other matters, and decide between the advice and assistance which send the discharged to the country or retain him in the City. There are proclivities of mind which all have. It may be supposed that the culprit has them strongly, but a slight bias may be forced onward and downward by evil association and consequent bad advice, so that the young man with only a moderate and easily governed inclination to wrong, may be made, by bad companionship, a more accomplished villain, than is the person of strong proclivity in vice and crime, who has not for a tempter one who has had practice in felony, and experience in crime.

The statement which Mr. Walter gives of his labours, and of the results of some of them, shows that he is giving his attention to the subject, and giving it a right direction. Mr. Walter's views must be practical. Others may tell the convict of his offences, and earnestly advise him to repent and forsake. The lessons thus given are good and for good. The theory of success in proper undertakings, or the principles in which undertakings are to commence and be carried on, excite the hearer, and it is believed that few better sermons are preached to such people than are sometimes heard by the individual or the united felon companions in the cells of the Penitentiary. Mr. Walter's mission is practical: he takes the prisoner who has had the benefit of these lessons and tries to place him where he can practice the virtue commended, and where he will be met by the least temptation to yield to "the sin which

does most easily beset him." It would seem that the lessons in the cell would greatly fail of good effect, if somebody was not to follow the discharged prisoner from the Penitentiary and see that he was made to stand in a position where he could live without inconvenience from pressing want, and where the resolutions which he had formed in the cell should not be antagonized by successful vice or by too great eagerness for immediate pecuniary profit. That can only be done by some knowledge of the discharged prisoner's character, the feelings of his friends, and the possibilities of his gaining moderate subsistence, and the likelihood that he would be satisfied with a *moderate* subsistence after the first feeling of delight and enjoyment of liberty had subsided.

The Agent of the Society for the Eastern Penitentiary is not then limited in the discharge of his duties to the disposition of a man who has worked out his sentence in the Prison. He must use discretion in the discharge of his duties, and that discretion must be acquired by practice, and must be useful only from a knowledge of all that concerns and cheers in the history of the past, or in the circumstances of the present. In times of war merchant ships that were to visit other nations were accompanied or convoyed from their port of departure all across the ocean to the port to which they were destined. It was well understood that the enemy country would, if able, beset every sea course with her fleets, and even commission privateers to create greater danger, and there are never wanted pirates to infest the ocean and destroy the calculation for gain

of those "who pass through the paths of the sea." Our Society knows well the dangers that beset the course of those who are leaving the quiet haven of a prison. They are feeble barks with few appliances for self-defense, and, what is worse, not acquainted nor wholly unwilling to form acquaintance with the perils of the course they are to steer. Mr. Walter commands just such a protective fleet as we have noted, if, indeed, he is not the squadron itself, and keeps his eye on the convoy which he is to guide in the right course, and protect it against the assailant that cruises in its passage.

We say, not to Mr. Walter, nor to the other Agent, that it is a great responsibility that they have assumed. They knew that when they entered upon the work ; if not, they soon learned the great fact, and learned, also, that it increases with years and grows with all experience.

A large burthen is laid upon the Penitentiary Agent by the necessity of looking after the clients that come from the country. They often desire to be sent to some place where they are not known, or, with the same motive, to be allowed to hang about the City under pretence of more easily obtaining employment.

If the prisoner is really disposed to do right he does not do well, generally, to avoid the place in which he has lived. The dread of exposure which haunts the discharged convict, who thinks to escape exposure by going whither he has not been known, is said to be terrible, and the *cost* of securing the silence of a single discoverer of his identity is only the beginning of a

blackmail which has, in many instances, ruined the sufferer, of which abundance of instances could be cited. If possible, and circumstances may render it almost impossible, the convict should on discharge seek his *home*, his former virtuous companions and townsmen, and with them work out and live out the resolutions which he formed in the Penitentiary; lost confidence will be regained, though slowly, position be sanctioned, and only the "scar" of wounded reputation will remain. That will remain; the good will not forget; the bad will sometimes repeat the story of wrong doing of the ex-tenant of the Penitentiary, and with a full forgiveness of general society, individuals will take care that local history shall not be deprived of its offering; and the offender will learn that certain acts, though quite repented of, will maintain the power of afflicting, just in proportion to the sincerity of repentance and restored sense of right.

It does not seem difficult to aid a prisoner on his leaving the Penitentiary, to direct him to the railroad car, and if money is supplied to pay his passage, and even advance a little to help him when he shall have accomplished the journey. But something else is required of the Penitentiary Agent. He will probably have had something to do in the formation of the resolutions of good which the convict professes; he will have made himself fully acquainted with the habits, proclivities, and abilities of the prisoner, and he will from these judge of the best place for him to go, the best means of getting him there, and of the best employment for him to seek when he gets there. And

by that time he will have formed a pretty good idea of the soundness of his client's professions. It may be said that in the situation which a convict occupies there is a great deal of danger of hypocrisy; and in the means which he is using to obtain sympathy, that hypocrisy is sometimes discernable. Against such hypocrisy the Agent is and should be on his guard; but he should be very careful that his vigilance does not lessen his usefulness. All are not hypocrites; and suspicion hinders the progress of reform in its object. Better to be deceived once or twice than to hinder the fulfillment of good resolutions. Hypocrisy sometimes, charmed by the beauty to which it pretends, comes to give place to the reality. Indeed, what we sometimes call hypocrisy in the convict, is only the beginning of a virtue which is often destroyed by bad associations, but which needs encouragement to give it vigour and growth. The Agent must look to these things which, while they greatly increase his anxieties and labours, do not less add to the honour and merit of his mission.

We subjoin some notes from W. W. Walter, the Agent at the Penitentiary.

REPORT OF AGENT OF EASTERN PENITENTIARY.

PHILADELPHIA, DECEMBER 14, 1877.

To the Editorial Board of the Philadelphia Society for Alleviating the Miseries of Public Prisons.

GENTLEMEN :—I present you herewith a condensed report of my labors among the prisoners at the Eastern Penitentiary for the year

ending December 12, 1877. There have been discharged from the Penitentiary, during the last year, three hundred and seventy-two prisoners, and of this number I have supplied three hundred and forty-three with new clothing and shoes. Of the total number discharged, two hundred and six left the City, forty-nine of whom I accompanied to the several depots in the City, procured their tickets, and saw them safely started on their way home. The rest of them notified me that my assistance would not be required after their discharge, hence they left the City alone. The clothing of some of the prisoners being in good condition, I only supplied them with what was necessary to complete their outfit, although the percentage in these instances was very small, owing to their clothing being in a very poor and deplorable condition. As evidence of this latter fact, I would say that since January 1, 1877, sixty-three suits of clothing were burned, as they were not fit to pack or use in any way. It has been my endeavor, in preparing the prisoners for their release, to procure for them good and substantial clothing, etc., at such reasonable cost as the cases would allow, and thus not only have them in as neat a condition as possible, but also use the funds of the Society in as economical a manner as the circumstances would permit.

I have visited the prisoners in their cells quite frequently, and have endeavored to impress upon them the necessity of their endeavoring to live good Christian lives, and strive to make themselves honored citizens, by forsaking their former companions in crime and their evil influence.

Many of those discharged had homes in the City or country to go to, and friends, and from a few of them I have received letters expressive of all kindness and attention shown them, and of their endeavors to do better. This is indeed encouraging, and I hope that the seed sown in weakness may result in the bringing forth of some good fruit.

I have procured situations for a few, both in the City and country, but, as a general rule, after their discharge I very seldom see or hear tell of any of them.

Most all of them are anxious to at once procure some situation, but others, the old influence seems to have possession of them,

and they go recklessly into crime, and the result is they again become inmates of the Penitentiary. One of the prisoners I had hopes of doing well; I secured him a place in the country, where he remained a few months, having his wife and family with him. He, however, left his place, and returned to this City, and called on me several times. I advised him to at once return to his home and family, but entreaties were of no avail, and he was soon again found among the convicts at the Penitentiary. The most serious obstacle that has to be overcome by the prisoners upon their discharge, appears to be their fruitless endeavors to obtain situations, which (on account of the continued depression of the times) are very difficult to obtain. Many of them have told me that they must have something to eat, and some place to sleep, and if they do not have these necessities they know not what to do.

Their urgent appeals for work are indeed heart-rending, and I have used my utmost endeavors and influence to place as many as possible.

Several of those for whom I procured situations are doing well, and are endeavoring to lead honest, upright lives. One of these I persuaded to go to his family in the West; I procured him his ticket, but he decided not to go at that time. A few days later I secured him a situation, where he was getting along nicely, but his employer, finding there was not business enough to retain the man's services, discharged him, and so he was again at the mercy of the world, and its evil influences.

He shifted around some little time, and finally secured a position in the express business, and has done and is doing so well, that he has brought his family to the City, and I believe he will never again be found filling a convict's cell.

I have assisted many, through the Society and the kindness of friends (who are interested in the welfare of the prisoners), to go to Boston, New York, Pittsburgh and other cities, and in so doing, I have always felt that it is better so to do, than have them remain in this City in idleness and want.

I also assisted three prisoners to return to England, they having advised me they had families there to whom they wished to go, but have never, as yet, heard from any of them, although they all promised to write to me on their arrival out.

My intercourse with those in charge of the prisoners, as well as the prisoners themselves, has been most satisfactory and encouraging, and with the hope that my labors and ministrations have proved satisfactory to the Society, I remain,

Yours truly,

W. W. WALTER,
Agent.

OBITUARY.

We have annually one chapter that has an interest for all. We have one theme that never fails. There is one subject which somewhere excites emotion, and which everywhere has interest. We may postpone, and often justly, a judgment as it regards the living, but public feeling erects at once a tribunal for the dead. Of our dear associates, if we can not at once sit down to separate the little dross in their character, and enjoy the precious qualities that made them dear, we can, like a Roman, find in our heart the diminutive urn that contains their ashes, and await a while the erection of the statue that shall awake our love while it recalls the object; nay, we may assist the artist in his work of perpetuation, and bless the art that brings remembrance full upon the eye.

The Journal has not of late years failed in its "Obituary" chapter. How should it? Our circle is large; the circumference includes those of all countries and all creeds that love their fellowmen and are prepared to exhibit their affection by a sacrifice of ease laboriously attained, and a contribution from means of slow and limited growth. Philanthropy

loves the cheerful abettor of good works, and pauses not to calculate by fiscal estimate the cost of the contribution. And that principle which includes love for, and interest in, man for the sake of his humanity, has an operation as extensive as human association. But doubtless those of our own household—those who labour by our rules and within our circumscription—create in us a more immediate solicitude. Their life, which is around us and with us, induces and warrants the deepest sympathy, and their death creates the bitterest sorrow—sorrow for their departure, sorrow for the withdrawal of so much practical ability for good, sorrow for our own loss—selfish, but pardonable sorrow.

We forget, in the cares of business and the enjoyment of home, and even the exercise of the charities of life, some of the virtues of friends who assist and give character and extent to those charities. We do not appropriate to ourselves too large a share of the means of success. Yet we are apt to forget all the claims which may be made for our co-labourers; but when death calls one of them from participation in the work, we begin to comprehend how much they deserve of credit for success, and the impulses of grief, as the dictates of truth, are to do justice to the merits of the dead, that we may encourage the living. Nay, it is justice to ourselves. It is much for us to associate with the good, and it is a part of our merit that we can appreciate their worth.

Writing in advance of the publication of our Journal, we have to thank God that the events of the year

are not marked by the death of any of those who share immediately in the direction of the Society ; and that may be considered as remarkable, for some have given even youth, and many the strength of manhood, to the labours of our Society ; and some have grown old, very old, in assisting or directing in its works. And while they read from year to year the notice of their departed colleagues, they look at their own record, soon to be closed, and seek to make and bear testimony to their love of, and respect for, the great principles upon which the Society was founded, and upon which it has thus far been conducted.

To the time while the present article is being prepared, the Society has not had, in 1877, to feel the loss of any of its acting members. Some are spared, indeed, with diminished strength, but with constant zeal.

No abatement of love for the cause of this branch of practical philanthropy is observable. Their good will, their unquenchable desire, stretch forth their hands, to insure effective action in their colleagues ; and the young and more active sustain their uplifted arms, and insure permanent success to the cause.

The spirit of true philanthropy has no narrow limit. It is co-extensive with humanity, and nothing is foreign to its feelings, its plans, and its sympathies, which concerns human beings. And in a prescribed specialty, it has no less fellowship with good workers in the cause of the prisoner, on the borders of Kamschatka, than in the United States ; and he who takes the message of practical humanity to farther India, and assists in means to make it practical, is doing the

same work that we are essaying in Philadelphia, and if we expect the blessing of success on our labours here, we are bound to bid "God speed" to those who are doing the good work at our Antipodes. Hence this Society feels, with regret that demands expression, the death of any one who has been distinguished for efforts for promoting the improvement of human beings, and especially, alleviating the miseries of prisons, by lessening the number of those who seem born to be tenants of charitable or penal retreats.

This notice of the sympathy and fellowship of the Association is almost a natural suggestion of a knowledge of the death of:—

MARY CARPENTER,

Who, for years has done honour to herself, her sex, and to humanity, by her active zeal to do good to others in a way that may insure the greatest benefit to the recipients and, through them, to society. In the cause of prison reform, she took an active, useful part, dependent indeed upon the plans of others, plans which she praised because they commended themselves to her approval by their comparative, and thus by their positive, usefulness.

But Miss Carpenter had another mission, more suited to her powers of action, and to the lovely sympathies of her sex. She laboured successfully to snatch from the downward path of vice and crime those young children of poverty, who are the hope and fair expectancy of prisons and penitentiaries, whose conditions in life are away from the sight

and sound of propriety, and whose associations are all-fruitful of crime, and leading to punishment.

At a meeting of the Acting Committee of the Society, ALFRED H. LOVE made a formal and feeling announcement of the death of Miss Carpenter, and appealed to the meeting for an expression of regret at the loss which our cause sustained in the death of such a person.

ALFRED H. LOVE'S RESOLUTIONS AND REMARKS.

Since we were last together, we have received the message from England, a sad one to us, who know the value of such a life as that of Mary Carpenter, that she has been removed by death from this field of her useful labours.

Many of us will remember her stirring address, and her timely recommendations for the care of those who "fall by the wayside," or "are weary and heavy laden," pronounced at the hall where the Constitutional Convention of Pennsylvania was sitting. And we heartily endorse the English paper when it says of her:—"Probably no one has ever combined the qualifications needful to the juvenile reformer in a higher degree than Miss Mary Carpenter." Her faith that there is a holy spot in every child's heart, "was a part of her nature, and with this was combined an insight that made her quick to find it out. The knowledge she had gained during more than thirty years of educational work, enabled her to use her rare gifts to

"the best advantage, and she had a fount of love and sympathy which no demand could exhaust, but which never ran to waste."

The world we feel has been made better by her life. In the quiet of the prison her beautiful spirit tempered many a heart, while out of it, she planned many a reform, and marked out many a pathway for the erring and weary, less thorny and stony. Her mission seemed to be to make the "crooked paths straight, and the rough ones smooth."

Mr. Love moved that the record of these proceedings be forwarded to the London Times, in care of William Tallack. Edward H. Bonsall seconded the Resolution, and George Taber added remarks of appreciation for this departed friend of humanity, and hoped that the lesson of her life would not be lost upon the world."

JOS. R. CHANDLER'S REMARKS.

I rise to express hearty concurrence in the sentiment of the gentleman who preceded me, relative to the beauty and worth of the character and service of Miss Mary Carpenter, whose death he so feelingly announced. It is not necessary here or elsewhere among men assembled to carry on works of enlarged philanthropy to dwell on the services of Miss Carpenter; of them, it may be said, they commenced when those of other philanthropists had terminated, and they

were continued till the great hopes excited by their commencement were realized in the fruition. Some one more intimately acquainted with the good works of Miss Carpenter than we are at present will, it is to be hoped, give to the world a record of some of her bright efforts for the reformation of the suffering guilty, and the prevention of crime and vice in the exposed orphan. I am not prepared to do justice to that lady's great worth, nor to my own appreciation of the vast benefit which she wrought by her "zeal according to knowledge" in the various branches of social good to which she gave her guidance, or granted her important aid and advice. Besides the honour of association with Miss Carpenter in this City in awakening public attention to public wants, I had the pleasure of meeting her often in England, where her directing labours were so abundant and so eminently successful.

Miss Carpenter, in her Home for Girls, set an example which might be imitated to the advantage of young women, and through them to society.

In Miss Carpenter's Retreat and Reformatory, in Bristol, England, there is a directness of instruction which insures special approval. The pupils in her school were made to understand that they are taken from the haunts of vice, or from places especially exposed to vice, to make them virtuous and useful, to ornament the parlours, not by their good looks and showy dress, but by their habits of neatness and obedience, and by their personal labour there, and education, to understand and to do housework. And so successful

was Miss Carpenter in carrying out her plans, that I have understood from her that an application for a situation as a housemaid by one of her girls was more favorably received, and the service more highly compensated, than one from a female that had not received Miss Carpenter's instruction, even though recommended by former employers for willingness and ability.

There must be in this country a *larger* want of employees, and greater difficulty in getting a good living, before we shall fully understand the great usefulness of Miss Carpenter's well executed plans, before we shall indeed comprehend the labour, prudence, and importance of their effective execution.

It is a fault yet of this country, which apparently supposes that as the elements of all education are nearly alike in all schools, so the *end* of education is the same. Our people teach reading, and writing, and arithmetic to their eleemosynary charge, but seem to fail to make the pupils understand that it is the use of these attainments that make position, and not the possession alone of them. The waifs of society gathered in, seem to think that labour has ceased, with a little knowledge, and that henceforth they are to be reckoned with those who, by attained qualities live upon the work which they do not perform, and by position take a double share in what they have not earned.

Miss Carpenter knew how important careful attention is, and ever must be, to the child, who will always be attaining something, always, even without effort, acquiring, absorbing, knowledge. As the cavities of the sponge, as it increases or grows, are filled from

surrounding waters, so the mind of the child is not left a vacuum. It is at that point, and with that view, that Miss Carpenter commenced the application of her system and her power. Children were called from the street, or from homes of poverty, to her refuge, and they were taught to work ; taught to make that work useful ; taught to comprehend that "what is worth doing at all is worth doing well ;" taught all of housework from the basement to the attic. And when instruction and enterprise had rendered these pupils proficient, they were made to understand that every part of the instruction which they had received, was to qualify them to keep on working.

All this statement may seem, to some persons, to convey small commendation to one so largely esteemed ; but *usefulness* was the aim, of Miss Carpenter. With good education, with enlarged acquaintance in various parts of the world, and with a heart true to the high and holy purposes which she entertained, nothing seemed small which she undertook, because the success was so abundant ; nothing too large to be included in her plans, provided it concerned humanity.

While, for the sake of those who were profiting by Miss Carpenter's labours, I lament her *death*, and sympathize with them in their loss, yet, in consideration of those who have been benefited by her great efforts and sacrifices, I congratulate those clients that she *lived* for their good ; I congratulate society at large that she lived for the honour of this age.

It is meet that such Resolutions as have been so timely presented, should be unanimously adopted. It

is meet that these proceedings, expressive of profound respect for the talents, labours, and character of one of the most useful women of our age, should be widely published, that our Society may "show it has the virtue to be moved."

OTHER PRISONS.

We have received very few of the reports of prisons in this country or abroad. These returns, when received, serve the wants of Prison Directors and Inspectors rather than the convenience of prison visitors, as they give the number of prisoners, the kind and amount of food, the number of officers, and their duties, in the Institution. The chaplains, we are informed, receive so much salary, and report that they give daily or weekly attendance. All that, especially with a statement of salary, is interesting to those who wish statistics of prisons, their costs, their size, and what profit has been made. But the information that concerns those who would "alleviate the miseries of public prisons" is the number of moral visitors and the frequency of their visits, and as far as can be given, the results of their dealings with the prisoners. It is desirable, also, to know what success attends the labours of their Agent, if they have any ; of how many he procured the release, when it is evident that the incarceration is an evil against society and against the individual ; of how many he hears the sad story and secures a fair and early trial ; for how many who, having served out their term, he provided means against im-

mediate temptation. These and kindred subjects commend themselves to the sympathy of the prison visitors.

Nor is the Society without special concern in the plan and structure of the prisons. The system which is deemed of the greatest value is that denominated "separate confinement;" and that system requires the special adaptation of the shape, size and location of the cell. It needs a cell for every prisoner; and it would be a great improvement on existing plans to have the cells so constructed that there should be the least possible means of communication between inmates of adjoining cells—communication, we mean, by heaters, and water pipes. Certainly, the apparent solitude of a cell now is occasionally broken in upon, not only by a personal visit, but also by the art of talking through the pipes by which heat is conducted into three or four contiguous cells. This plan is a great annoyance where all interviews between prisoners is prohibited. And it often happens, that in prisons constructed for congregate use by day and separation by night, the good prisoners, who have obtained high favour of their keepers when engaged in congregate labour during the day and by their *emphatic* silence, have exchanged experience and plans of future mischief while locked in their cells at night. The association of prisoners in any manner, and at any time, is an evil, whether it is the *solitary* convict peopling his cell with the half association of his neighbors, or the congregate convict, shut up at dark, revenging at night by his persistent conversation, the enforced silence during his daylight labour.

When two truly virtuous persons can be found in a prison or penitentiary, it is possible for *them* to improve each other by the exchange of ideas; but if there should be found two such persons among the thousand tenants, it is doubtful whether they would be brought into companionship; and, if they were, it is probable that, instead of improving temper and resolves by association, they would, by their narration of personal wrong, stimulate each other to hatred and revenge.

It may happen to us to receive reports from penal institutions of the Congregate Class, and if so, we shall probably be edified by a statement of the earnings to the Institution by the condemned inmates. We should, of course, give the stated results, but we have no hesitation in saying that so very deceptive have some of these flourishes been, that we have been constrained to withhold faith from the statements. It is generally found that what are deemed profits are more ingenious presentments of figures that cover some mistake, or contain some misrepresentation. There are circumstances, we are aware, that enable some penitentiaries to yield a profit—or, at worst, to earn, by the sale of the production of the prisoners, enough, or nearly enough, to meet the appropriation made for their expenses. Such results, if there *are* any such, follow the location of penitentiaries near a quarry of some kind, or mines that may be worked outside the walls of the prison by convicts. But where these exceptional circumstances do not occur, the pecuniary profit claimed is usually difficult of de-

monstration, while the moral evil is obvious and accumulative.

Our latest account from Italy intimates increase in the number, and improvement in the character, of the prisons. Italy has organized the government of her prisons as perfectly as that of her army and navy, and every new Report shows that while she has begun with what belongs to the general, she has discarded the particular. All movements in prison discipline, in that peninsula, tend toward separate confinement. Italy while doing wonders in her great penal plans, is outstripping all nations by the exhaustive character of her Reports in a minuteness which is eminently instructive, and which she applies to all departments of public administration.

ITEMS.

From a return recently made from the County Courts of England, it is shown that those bodies granted 23,696 warrants of commitment, and that 4,228 debtors were actually committed to prison.

The surviving partner of the banking firm of Harvey & Hudson, claimed to prove against the estate of the late Sir Robert Henry for \$3,170,000, the amount which they alleged that gentleman had withdrawn from the funds of the bank by fictitious credit, and forged bills. The Lower Justices allowed the claim, and an appeal was taken to the House of Lords which sustained the judgment of the Court below.

Embezzlement is then not a crime peculiar to this country.

Count Van Armin has been sentenced to four weeks' imprisonment in Berlin, for libel on Prince Bismarck. Libels are then not crimes peculiar to this country.

PRISON REFORM IN HONG KONG, (ENGLISH CHINA).—We find in an English paper an account of proceedings relative to prison discipline in the English settlement in China. The Governor of that place informs Lord Carnarvon, the British Colonial Secretary, that he has had occasion to change some of the prison discipline of the place, on account of the severity, especially where the punishment was inflicted on the Chinese, whose misconduct brings them within the rule of the British Colonial Courts in that part of China.

The report of the Governor informs the Colonial Secretary of the increase in the number of prisoners punished during the last three years. In 1874 there were punished 426; in 1875, 1,085, were punished; and in 1876 the number amounted to 2,726.

The mode of punishment there seems to consist almost entirely in flogging, and the Governor states that he has ascertained that, either from the peculiar mode of infliction in use, or from the peculiar constitutional temperance of the Chinese, the infliction almost invariably produces congestion of the lungs, terminating in phthisis, and total wreck of the unfortunate sufferer's health. The interference of the Gov-

error in behalf of the Chinese criminals is much lauded by his friends in London.

WHIPPING POST IN NEVADA.—The whipping post has been denounced as a relic of barbarism, but it has its uses in Western civilization. The County Commissioners at Austin, Nev., recently adopted the following Ordinance :—"It is ordered that the Sheriff be, "and he is hereby instructed to erect a post in a conspicuous place near the Court House, in accordance "with the provisions of Section 1 of the Act of the "Legislature of the State of Nevada, entitled, an 'Act "to Prevent Cruelty to Women.'" The post has been cut from a huge pine log, and set up in the square. Not a man in the town dares to beat his wife.

THE GALLOWS.—One or two States that had abolished capital punishment, have re-enacted the death penalty. Some for only one crime, murder; and some for two, murder and rape. Some States are considering the propriety of re-establishing the gallows. All States, all governments, should be careful—should hesitate on passing a penal statute, and as much hesitancy and as much care are requisite in repealing that statute. It is probably noticed that one of the first acts of an extensive mob is to break into prisons and release the convicts, and when that mob assumes the shape of violence and the success of revolution, destroying by thousands the innocent victims generally, among the first acts of its legislation is the abolition of capital punishment.

In Italy the Parliament has voted the abolition of

capital punishment, and a proposition is added not to give up a person charged with murder to any nation that would cause his death, if proved guilty.

NEW JERSEY.—An attempt is being made in New Jersey to establish an inter-immediate prison between the County Jail and the State Penitentiary. It is, we believe, proposed to divide the State into districts of ten or more Counties, each of which shall have one of these intermediate prisons. The County Jails of New Jersey, are generally anything but creditable to the State ; in some Counties they are, it is said, disgraceful.

A dispute has arisen in the State Prison of Massachusetts relative to religious teaching. The chaplain, offended that Catholics should be taught, has resigned.

The law of Pennsylvania for establishing a State Asylum for the Insane in the Eastern Counties is likely to be carried into effect. A large farm has been purchased for that purpose in Montgomery County, and the work is likely to be commenced in the Spring. It is understood that the plan for the buildings includes several houses rather than one.

The Governor of this State sometime since appointed a Commission to examine into the governments of the cities, and report some plan by which municipal affairs could be more regularly and economically directed. That seems to connect itself with prison interests, because it is understood that the Commission will recommend that the management of city prisons be

placed in the hands of persons appointed by the Mayor. The exact character of the report is not yet made public ; but any movement of that kind that involves extensive changes should be planned and digested by persons conversant with the particular branch of municipal affairs to be considered, and the report should be committed to the consideration and analysis of persons who have experience in the administration of such matters.

The Legislature of this State, at the last session, appointed a Commission to visit the penal and charitable institutions of the Commonwealth, with a view of making inquiry into the character and extent of the manufactures carried on by the inmates, but with a special object of inquiring into, and reporting upon, the contract system—how it is conducted, whether it is profitable, and, if it is, to what extent—but more especially to inquire as to its influence upon the condition of the prisoners, and of its effects on the several branches of industry carried on by honest people. This was a most important and desirable movement, and it has an intimate and influential bearing upon a most important branch of social economy. We do not know what will be the report of the Commission, but we infer from the character of the Commissioners, and their knowledge of prison movements generally, and especially their sense of business right, that they would report directly against the “contract system,” as, in a long run, injurious to the institution, and under almost any circumstances a monstrous injustice to the honest labouring man.

There are many subjects connected with prison economy, some of which will be noticed, besides those referred to. The subject is becoming of general interest, and deserves, and should receive, thoughtful plans.

CONCLUSION.

The statement of proceedings which constitute a leading purpose of the Journal, is what we have to record of another year's existence or action of our Society. How much more, or how much less of labours have been performed, than marked our movements in previous years, we are not prepared to assert; still less can we judge whether more or less of success has attended our labours. We do not know indeed what really constitutes success. The Agent at the County Prison may procure the release of many untried male prisoners, who, by that release, may have escaped severe punishment, or he may have persuaded the Magistrate that many a woman, shut up in prison, would serve the purposes of her existence, and fulfill the duties of her condition as wife and mother, much better by the freedom which that Magistrate could grant, than by a close imprisonment to which his commitment condemned her; and yet the man may use the first day of his release to repeat the crime for which he had been incarcerated, and the woman, in going from the prison to her family, may so accept and use the congratulations of her friends, as to be exposed to the interference of the

policeman, and the renewed judgment of the Magistrate. Neither man nor woman may have improved by the release. "The dog returns to his vomit, and "the sow that was washed, to her wallowing in the mire "again." The realities to which we refer in both cases exceed in disgusting filthiness the ideas set forth in the text which we quote for illustration.

Nor is this all; the Agent at the Penitentiary does not get out the prisoners that occupy the cells of the State Institution, he awaits the time of their legal release, either by the termination of their sentence, or by the interference of executive clemency.

The visitors appointed by the Society, faithfully discharge the duties assigned to them, and seem to have prepared their cell-clients for that liberty which they forfeited by the act that sent them to prison. The promise then made by the prisoner to avoid crime, and the places that furnish temptation thereto, are so often repeated, and it is so plain to all that the fulfillment of that promise would be for the best, that it is not strange that the visitor should flatter himself that he has a reward for his labours in the reformation of a prisoner, and the Agent is a little more than excusable, if he seems to express gratification that he has helped the retiring penitent to the means of reaching home in decency, doing thus fully his work. But having done it, and reported it to the Society, his expectations are blighted in the return of the same man to the cell, a candidate for further attentions from Committee-men and Agents.

We have seen all this, and enjoyed the hope of

amendment, and the gratification of helping onward, and, as we thought, upward, men who had fallen in the pathway of life; fallen among thieves, and accepted the employment which was prescribed—all of us have seen, or heard, that some convict, whom we had supplied with money to reach his family, had used that contribution for purchasing tools and instruments for executing enlarged mischief, which had been planned, criticised, and adopted by old offenders that were occupying cells with him during his incarceration. We have seen all this, the members of the Committee visiting the two prisons have witnessed it, the Agents have it among the mortifications of their office, and whoever enters upon the discharge of such duties as appertain to the class which have been noticed. It is a painful experience; it is humiliating; it is discouraging. But that is not all the experience of visitors and Agents.

“Now and then a cluster of pleasant grapes are found.” The advice given at the door of the cell seems occasionally to have been received with a firm resolution to make it a rule of life. Sometimes the squalid tenant of a cell, whose distorted and bruised features intimate that in a brutal contest with home and pot-house companions, she had received a full share of punishment, and whose redness of eyes showed that she had “tarried long at the bottle,” presents herself at her own door clothed, and in her right mind, leading by one hand, a well attended child, and holding in the other a new born infant, whose natural

food is uncontaminated by poisoned circulation, and her husband "praises her sitting in the gate."

Some young man who had fallen among thieves, and was sharing the imprisonment consequent upon associated larceny, calls to bless the giver of kind lessons, and contributor of necessary means that led him to think of virtue, and enabled him to return to it; and the visible assurances of a young woman, whose arrest and conviction afforded opportunity to advise that the first steps to vice were to be the last, and a doting, heart-wounded, mother lifts her eyes in pure gratitude to God that the rod of chastisement had been the wand that wrought the miracle of virtue. Few, very few, comprehend (may there be fewer to comprehend) the almost hourly exultation of a mother's heart as she looks upon her daughter reclaimed to virtue, called back to obedience, affection, and usefulness. When such results are consequent upon the labours of one who represents this Society, the representative has a right to feel gratified at the honour he has done the Society, and the priceless benefit of which he has been made an instrument to others.

Nor is this all—the sense of good attempted, of sacrifices made, is in itself a high enjoyment. Paul may plant, and Apollos water, but the increase is of another direction.

The older of the flock feel that they have done something for the good cause of philanthropy; that, with all their failures, some sufferings have been relieved by their labours; some misery alleviated by their co-operation; some cause of terror removed

from those who were expecting evil ; and, in addition to the physical comfort which they have aided to procure, they have reason to hope, they have indeed evidence to sanction the belief, that the stricken pride of a father, and the aching heart of a mother, have been soothed by the restoration of an erring daughter, and the desolate places of home made glad by the presence of the repentant, the restored wanderer from the family flock.

With these well-sustained consolations, the highest reward that is sought, the Annual Report is closed. From year to year a diminution in numbers of the acting members has been looked for. Death has had his work among us, but he has selected for his harvest often the young, abundant in goodness, and warranting hopes of future exceeding usefulness, and left the older to mourn for blasted hopes, and lament that years, though they may not diminish desire nor lessen zeal, yet deprive of the power of usefulness. Yet their experience may be beneficial to the Society and assistant to those who will follow. And, if nothing more may be said, those whose continuance can be but little longer, still devote their remaining faculties to the great work of the Society, and turn to their successors—the dying to the living—with the salutation of God speed.

JAMES J. BARCLAY,
President.

Attest—

JOHN J. LYTTLE,
Secretary.

Philadelphia, January 1, 1878.

PART II.

PRESENTATION OF VARIOUS SUBJECTS CON-
NECTED WITH THE OBJECTS OF
THE SOCIETY.

JOURNAL.

PART II.

PRESENTATION OF VARIOUS SUBJECTS CONNECTED
WITH THE OBJECTS OF THE SOCIETY.

CONGRESSES.

THERE have been, and we have noticed their existence, and, sometimes, their labours, several "Prison Congresses" held since that in London in 1872, in which latter, by representatives, this Society took part. No doubt that the agitation of the subject of prison economy in all its branches has received additional attention from the proceedings of these Congresses, and the circulation of authentic reports of the manner in which they were conducted and treatment of subjects presented for their consideration. It is to be hoped that such has been the result. The labour and sacrifices of some who have attended these Congresses

would seem to warrant expectation of improved estimate of the character of public prisons, and the importance of a proper scheme upon which to base all calculations of directing them to valuable purposes; and among those valuable objects to be achieved is that of making them useful—we do not mean useful as a means of pecuniary profit, but as a means of safety to the public during the incarceration of the convicts, and of improvement to the prisoners while in prison—an improvement to be manifested when they shall have been discharged.

In all these Congresses there have been made known by representatives the character of prison discipline practised in the district, and it need hardly be stated that scarcely any two agreed. But, unfortunately, the representatives were sent from portions where a desire to improve prison discipline had prevailed, and had been successful in some degree; that it had improved not the principle, but the practice, and in many instances it could be observed that a very faulty system had permitted such an amelioration of administration as to cause an impression, perhaps belief, that the desired object was near attainment. So much success had rewarded labours and sacrifices, that it seemed that little more was necessary to content the most fastidious, and to warrant the assertion that the desired improvement in prison discipline had been reached.

This success in practice, and this advance in administration have led to many errors. They have induced those who have achieved the improvement to

mistake their success in practice for the creation or adoption of a principle upon which practice is to rest. We see much of this all around us, but it may be more expedient to select an instance from abroad.

Let us take what is called the "Irish System" of improvement, which should really bear the name of its inventor, Sir Walter Crofton. No system has been so much talked of lately; no one commended itself so generally to persons who had seen only the working of prisons conducted on no particular plan, only going on at the wishes and with the consent of the conductors, as in the Irish System, a sort of mixed plan, some of the good adopted, and some of the bad adopted or permitted to remain, and we are free to say that much good has followed the adoption of the plan. But a large portion of the praise bestowed upon the Irish System, is derived not from its superiority to all other systems, but from superiority to the want of system, which marked the management of prisons in Ireland, before Sir Walter Crofton took the improvement in hand; and especially should we add, as a cause of laudation, is the pure character, the lofty motives, and the chastened zeal of its founder, and the admirable administration of the gentleman to whom it is confided.

Comparing this Irish System of the present time with the Irish "*no System*" of former years we may well understand how such a woman as Mary Carpenter could become the earnest panegyrist of what Sir Walter Crofton contrived, and what Mr. Maconochie has executed.

Yet, within sound almost of the Irish System, Belgium has established and maintained another system, which she clings to most pertinaciously, and founds her love of the institution and praise of its merits upon the good, positive and comparative which it is working out. And all through Continental Europe, the system which distinguishes Belgium, is approved and being slowly imitated.

In this country, the distinction of government of the States, and the independence of the States, indeed, render it very difficult to establish any form of prison economy, and when a State has adopted a plan for building and conducting prisons, a sort of State pride seems to forbid any adoption of another system, though efforts may be made to improve in some degree the administration of existing plans. And all the Congresses on penal institutions held in this country seemed to have resulted in little more than increasing a zeal for improving some plans by which some moral, and more pecuniary, benefit may accrue. True, desires for improvement undoubtedly influence most of those who undertake the management of large penal institutions; it would be unjust to imagine otherwise. But they gratify their feeling by improving the administration. They are afraid to consider the system, or rather they shrink from active personal comparison of systems. They are shocked with the idea of "novelty," overlooking the fact that what is novelty to them is of tried excellence to others. They hear of change indeed upon what they call their own system; but they neglect to inquire whether a

change is not made from an inability to prosecute the system they have deserted, or from a desire to arrive at other ends, than those proposed in building and conducting prisons.

But, if there have been prisons in a State, the mode of conducting them generally prevails in any new system that is adopted, so that the evil, if any, is usually perpetuated. For a moment the alterations made arrest attention, and often receive and deserve commendation, because they are an improvement upon former *systems*; but very soon the additions or alterations are forced to give place to the peculiarities of the old plans, and are so touched by the errors which existed, that they soon become infected with all the evils that they were intended to correct, and hence we find that, after great expectations raised by the introduction of new features of administration, and hopes excited, and for a time warranted, by some improvement, the whole falls back to the same condition that it was intended to amend. And thoughtless people exclaim that "there is no use "to apply new systems and amended administrations; "the man with felonious proclivities will be a felon, do "what you will in his behalf; and prisons finally do "no more than prevent for a time his depredations "on society, while his withdrawal from that society is "used to sharpen his wits, and complete his plans "for crime."

It has been said that the National and International Congresses held within this decade have served to revive, and keep alive, an interest in penology.

Discussions have rather awakened than satisfied curiosity, and it is difficult to point to a single State or country where systems have been changed, or administrations improved, by the action of these Congresses. Men have gone away awakened to the importance of the subject, but they generally are awakened to the superiority of their own plans.

There is one feeling which impedes the progress of prison discipline; that is the general desire to make these prisons a source of profit to the State. In the first place, real, self-sustaining institutions; and in the next place, a means of meeting some pecuniary demands upon the State or County; lessening the taxes, by providing a new source whence to derive means for meeting public expenditure. While that idea is predominant, plans for the great uses of a prison must remain in abeyance. Commissions may be formed, and close inquiry be instituted, and the answer will, for the present, be distractingly variant.

The Journal, last year, presented some ideas on prison labour as a means of profit. The existence of a State Commission to make investigation of the subject, renders it inexpedient to advance any opinions upon it at this time. Probably before this paper reaches the public, that Commission will be heard from, and an acceptance of the views of a majority of its members, or a dissent with argument will be in place. Meantime, the friends of true prison discipline will guard against any argument that goes to

sustain the idea that the fiscal prosperity of a prison should outweigh the work of moral improvement.

The Congress that was to be held at Stockholm, Sweden, in 1877, was, for some good reason, postponed till the year 1878; and it is likely that some who go from a distance to witness or assist in the great exhibition in Paris, will find time to attend the Prison Congress, though it is probable that a larger larger number will add to their pleasures of the mission by going from Stockholm to Paris. It is, of course understood that the United States will be represented in that Congress. It is known that citizens of the United States will transmit papers for reading, reference and discussion to that body, and it is hoped that the large experience and vigorous argument that will be represented in some of those papers will command an attention that must insure benefit to the cause.

It is not supposed that the Congress in Sweden will put to vote the question, "Which is the best system for penitentiaries?" Still less will they venture to ask a direct vote on the great question, "What is, by theory, deemed the best system of prison management—the *congregate*, or the *separate* system?" Those who have tried, fairly and fully, the separate system, have boldly declared that no vote or argument can weigh against their experience; and, indeed, very many who have been preaching ever since a prison had existence among them the congregate system, have been trying the experiment of the "separate" plan, and are, as fast as circumstances allow, adopting it in preference to others. In Europe, while yet the

nations are unprepared to authorize a vote for the separate system, they are slowly but surely placing themselves in a position to adopt it. But it is hard to persuade the government to demolish or transform the old structures so as to admit of the means of separate confinement. It is no less difficult to destroy the ancient prejudice of some people against any system which by cost is to insure good results to prisoners. The hands of many of these felons have been against every man, and it is, therefore, thought just that every man's hand should be against them.

It has been said that the Congress to be held in Sweden will receive, besides deputies from this country, essays upon questions of penology. And it is to be hoped that some, at least, of the authors of those essays will show the connection of good results with good discipline, and the good, if good, system, upon which all greatly depends. We wish to see pointed out distinctly how much the moral improvement of a prisoner depends upon advice given him, when he can feel that it was meant specially for his case. And all the good of that advice and the prisoner's resolution to follow it is jeopardized by companionship in the lesson.

Examples abound and may be cited with effect by those who have familiarized themselves with imparting instruction and exhortation to prisoners. The Congress will, if it is ever held, as we think there is doubt it will be, have in its number some who, as yet, have never heard of the "separate" system, and they must be informed, or they will start at novelty. It will

have some who are sent to represent penitentiaries that have existed for years as places for punishment, and whose structures have passed through the different usages of Baronial castles, the retreats of indolence and the abode of decayed and decaying families, and become at length the receptacles of felons and the schools of mischief. There will, we think, be much gained if they gather hints how to make the dark walls stand another century as a defence of convicts.

Some will come with statements of how much good a system has wrought by preparing convicts to emigrate to other countries and renew their depredations with improved knowledge, and among those whose suspicions have never been roused or have been allayed by the art that conceals the intention, while it selects the means of committing wrong.

These all and some others will, we hope, meet arguments sufficiently potent to correct their estimate of prison construction and prison discipline. It is time that such a point was attained; and when that is reached, we may hope that "separate" confinement will be recommended as the best means of securing the convict as a prisoner, and amending his morals as a man.

We stop not now to repeat arguments, or to present new ones in favour of the system of "separate" confinement. It is mortifying to friends of that system, as it is furnishing *ad captandum* argument to its enemies, that here, in this section of the State, where the system was projected, established, proved and approved, circumstances were allowed that, while they

proved nothing against the system, served to deprive it of its great distinctive feature. And cells of a penitentiary, constructed for one person only, and in which they could be reached by practical instruction, religious and secular, were made the receptacle for two and even three convicts, who could laugh at the moral instructor, and sharpen each other's wits by a comparison of crime committed, of detection and punishment endured, and with plans to increase their crimes and evade detection and punishment. So, also, the County Prison, constructed to contain prisoners according to the law and the sentence of the Court, presents cells in which two or three might be considered a true alleviation of the miseries of four and five great coarse men crowded into a space planned and constructed for one.

This state of things is not only a just subject for complaint with prisoners thus unlawfully treated ; it is an occasion of painful regret to those who would alleviate the miseries of prisons, as it is a shame and disgrace to those who, by action or neglect, perpetuate such outrage.

WHERE AND HOW TO BEGIN.

It was a beautiful profession of the Roman moralist, a slave, however, and subsequently a fugitive slave :—
“I am a man, and nothing that concerns humanity is alien to my breast.”

That writer, Terence, may or may not have felt the full force of his remark. Few precept writers do always square their conduct by their own utterance; but that is of little consequence. They speak the truth; they suggest a duty; they say what all men ought to feel and do; they make emphatic by such utterance an acknowledged duty, and give to the great truth the benefit of their character, as well as their talents.

Hundreds have found in that great utterance of Terence a text for exhortation, and a stimulant for action. The Roman writer felt that his relations with his fellow-men involved something more than an utterance of sympathy with his unfortunate neighbors, or a manifestation of grief at the death of a friend. *He* was a human being, and there was not *one* class of misery, or *one* division of crime alone, that excited his commiseration or condemnation. Whatever concerned human beings had his consideration. He was altogether a human being, with enlarged human sympathies. And men of all succeeding generations, for the last two thousand years, have quoted with emphasis the remark which we have copied, and tried to make it appear as the rule of *their* lives, and to make it the rule of other people's conduct.

It appears to be a law of consistency or rule which is to induce us to be "not only almost, but altogether, what we proclaim ourselves to be."

We suppose that a man appointed to watch over and maintain purity in the water provided for a community or city would not think that some, even much, attention

given to the condition of the stream which supplies water would be a fulfillment of all the duties which belonged to his trust. We naturally suppose that he would inspect the various confluent streams that might convey impurities, but especially would he look with careful interest at the deposits in the vicinity of the source, to anticipate any action, any enlargement, by which they might become contributors to the main stream, and, in time, ministrant to impurities. Nothing that concerned the interests over which he was appointed should be alien to his office.

Something of this kind strikes us as connected with the "Society for Alleviating the Miseries of Public Prisons." To lessen the *number* of prisoners is as much an amelioration as to lessen the *miseries* of prisons ; or, rather, to lessen the number, *is* to lessen the extent of the misery of prisoners. Therefore, nothing that concerns the character and condition of the population should be alien to our Society.

Drunkenness is one of the evils, or a combination of evils, that, by the peculiarity of its force, is greatly operative in populating prisons. Intemperance in the use of intoxicating liquors is, therefore, an evil against which every friend of humanity should set his face, not forgetting that as intemperance is opposed to hopes of good, temperance should be manifested in all our efforts to lessen intemperance.

Men whom the spirit of philanthropy leads to become active members of the "Society for Alleviating the Miseries of Public Prisons" are not likely to be unmindful of the miseries of other places than prisons,

and when they set about an alleviation of the miseries of prisons and prisoners, they will scarcely fail of looking not only into different branches of human miseries, but they will be likely to seek to investigate the cause of those various miseries, else they will scarcely come up to the character which Terence assigns to himself, who claimed that every feeling which concerned humanity found a home in his bosom.

With this preface it is intended to consider some of the circumstances and acts that lead to prison and create the miseries of such places. We have incidentally alluded to one vice—drunkenness. We do not say “intemperance,” for that is a generic term, of which habitual intoxication is only a species. And it would be well for all who seek to promote human comfort to understand that in the use of the material, or the exercise of the mental, “excess is a crime.”

We stop not now to speak of the evils of intemperance, and of its unfailing power to fill the prisons and create misery in families. No one seems to be ignorant of that tendency. The woman was nearly right when listening to a rebuke from the prison keeper, as he turned the key upon her, and said “she ought to be “ashamed to come to jail so often.” “You need “not complain,” said the miserable woman, “your “place and salary depend upon me and such as I ; “without drunken persons your occupation would be “gone.”

We have said that the alleviation of miseries of prisons would be best carried on by lessening the number of prisoners. How shall that be done? Those that

come there for vice or crime seem to have become so steeped in their evil qualities as to feel at home when they have reached the prison, or are never at ease unless they are gratifying vicious appetites, or consummating some great felony. We shall not, it is thought, do much for society at large by efforts at reclaiming the drunkard. Many may be saved, but not to the great benefit of the community. The work of saving the drunkard is good, but it is the individual chiefly that is directly benefited, and that seems worth great sacrifice; but good as the work is, it does not produce the effects that are promised in the undertaking.

If the attempts hitherto made to lessen miseries by reclaiming the drunkard have been less fruitful than was expected—than were promised—perhaps it would not be amiss to consider how to prevent the *habit* of drunkenness. Rum is no more a natural taste than is tobacco; and we never heard of a living being that *loved* tobacco at first taste, save only the monstrous tobacco-worm, which grows fat on the luscious leaves, and would seem to prefer death to abstinence from this his natural food.

Rum is an acquired taste, growing with indulgence and strengthening with repetition. But drunkenness has companion vices; they start almost together, and it usually is the great extent of either that prevents us from noticing the other.

The roots of the miseries of prisons start before drunkenness is manifested. Of course, there would be no miseries of prisons if there were no prisoners; and

the stoppage of drunkenness, while it is a public benefit, would only be to prevent one development of the causes of imprisonment. Away back of grog-shops, away back of the social glass, away back of the solitary jug, there is a cause which must be meddled with before the effect can cease. That cause is in families, and is found in the relation of parent and children, and manifests itself in the crowds of misbehaving, noisy, bad, young children which infest portions of streets in certain parts of the City. The importance of some attention to that element of future citizenship and of future character cannot be mistaken ; and yet, it seems to be neglected. We are apt in passing to notice the great number of unruly children, noisy and impudent, but as this only at the time interferes with quiet and order while we are passing, we neglect a consideration of what is to be the result of such materials. We think they are bad and need government, but we do not entertain the idea that they are becoming worse, and will soon despise government. Sometimes, perhaps, we do not think of the effect likely to result from such a congregation of unwashed humanity, and we blame the parents for a neglect of the children, who seem to disturb any and every body within reach, much more than they annoy their parents.

Believing that much of the misery of prisons comes from these ungoverned ones, and that it was important to look carefully into their character and habits as they are an element of social life, we felt that no great benefit could come from attempts to check the wide-spread and extending evil that peoples our jails, giving occasion

for attempts to alleviate the miseries of prisons, till we had delved down and searched carefully the lowest strata, lowest in character, lowest in years. To go to a prison and spend days, weeks, months and years in alleviating the miseries of the place, is no more to morals and miseries than is the friendly nursing of the prison hospital patient to the great work of general hygiene.

Men and women are sent to prison for vices and crimes, misdemeanors and felonies. We hear much from the prisoners of this present being their first *imprisonment*, but we seldom hear, and never believe the assertion, that that imprisonment is for the *first offence* against order and morals.

The old offender will speak, sometimes, of the necessities of his condition ; but, closely pressed, he will confess that the necessities were of his own creation, or the result of his own plans and conduct. But how came he to form such plans ? How came his life reprehensible by such conduct ? The convict is scarcely able to tell the first movement of crime ; he is sensible that there was a time when he was not liable to a prison, and when his *acts* were not of a kind to lead him " to fear each bush an officer." He can recall the days when he would have shuddered at the thought or denounced the imputation of deliberating upon an act of felony. But he can scarcely recall the season when he felt that repugnance at *wrong doing* which is necessary to avoid the character of *wrong doer*. He will confess that, while at home, crime when spoken of was denounced as the cause of personal infamy and public

wrong, but the faults, the habits, the vices, that lead to that crime were overlooked, smiled at, excused, if not openly practised.

The family, perhaps, is in straightened circumstances ; the expenditures which bad habits imposed—that is, the money spent for intoxicating liquors, or wasted by the idleness that follows the free use of liquor, are not friendly to the well-provided table, or the decently-stored pantry. The mother and father may drink too much to desire a large supply of food, but the children must, before they acquire the habit of drinking, have their appetite for food considerably gratified ; and there is a general opinion somewhat influencing judicial decisions, frequently operative in the jury box, that “stealing in order to satisfy hunger is no crime.” In a sort of enlarged philanthropy the old maxim is quoted :—“*Necessitas non habet legem*”—“Necessity has no law.” And so the child that is not well fed at the parents’ table is permitted to go forth and take what it wants, and excuses the crime of theft upon that plea of “necessity.” Do those who thus argue and thus act, think of the character and origin of that “necessity” ? They do not think that the necessity could have been avoided—if it ever existed. But if it is the misconduct of the parent that leads the child to misconduct—to felony—then it will be said that “the young offender is not responsible, and, therefore, not punishable.” But that young offender knows that he is doing wrong when he does an act of petty felony, only he does not take in at once the extent of the wrong, nor comprehend the evils of what he is be-

ginning. We can not say that children should be punished for this or that crime ; such procedure must depend upon circumstances which influence the mode and extent of the correction. But it is an error to suppose that children do not know that they are doing wrong when they steal, or commit other offences. We some time since took occasion to watch the movements of some very small boys and girls who had congregated around some large and small pieces of timber and boards that had been brought to complete the repairs of a house. The intention of the youngsters was not to be mistaken. Several persons spoke to them, kindly, advising them to leave. Such advice was sneered at, and some indelicate epithets applied, so that those who had volunteered to do good, were glad to escape from the missiles of dirty language. At length an older person spoke with some tone of authority ; the young marauders used hard language and dared him to put his threat into execution, and ridiculed, evidently with a knowledge of probable results, the threat to call in a policeman. Those who had administered advice, and he who threatened, felt that their own self-respect demanded that they should retire from the unequal contest. In a short time, just at dusk, the good work commenced, and small pieces of prepared board—half of a small door—were dragged away with a rapidity which showed that the work was not new to the young thieves ; and following them, it was found that the booty was well received at home, and “no questions asked.”

These are events of every day occurrence where

there are to be found temptations for such theft ; and a person interfering with advice is insulted with the grimaces and abuse of the young rascals of both sexes. He who tries to prevent, by physical force, the destruction of the property would probably be arrested and made to answer some ridiculous charge of Assault-and-Battery, over which the youngsters would crow, and in which the idle, drunken parent would find revenge for detection and exposure.

Poverty, undoubtedly, leads to such a condition as we have noticed above, and, therefore, the young offenders against the person and property of others are excused ; but the poverty in almost every case is *voluntary*, that is, it is brought about by the willful expenditure of money and time in indulgence and increase in bad habits ; and though the child in proportion to its age may be without a high sense of responsibility, yet he knows he is doing wrong. When he thinks he is in danger of detection he is constantly on the *qui vive*—constantly looking out for the danger of detection—a species of watchfulness which shows that he knows that he is engaged in an unlawful act, an act which, uncorrected, will assuredly be followed by others of the same character, increasing in turpitude and accompanied by an increase of excitement at the risk and probable triumph. It is not necessary to trace such an offender ; his course is straight forward, or rather, it is certain to the house of correction—the prison—the penitentiary, and, perhaps, the gallows.

We are speaking now of the Society to *alleviate* the

miseries of prisons. Alas, the class of persons to whom we have referred are the certain contributors to these miseries. The Prison Society takes them after they have been prepared by vice and crime for the cells. There is a Society for preventing cruelty to animals, and there is a Society for preventing cruelty to children. They do some good ; but the Society for preventing the miseries of prisons by directing the feet of children from treading the downward path of error, vice and crime, might find means of usefulness in dealing with the class of persons and crimes to which we have referred. Deal gently, but deal firmly ; deal first with monition, then commonition ; then with an outstretched hand.

Nor is it alone with the children that such a Society has to do. The drunken parents may learn that they must not put their children to steal, and the unhappy widowed mother, who awaits the wood to heat her kettle, must be made to understand that the pilfering from another person's wood pile or lumber yard, in which, by silence, she has encouraged her son, may and probably will result in an application, on her part, for permission to visit that son in his cell. He who would *prevent* the miseries of prisons must begin before the cell is occupied.

Crime, felony, of the worst class, is often warmed into activity by the approved smile which the parent bestows on the misdeed of a child, which, though abstractly wrong, she regards as only venial, because he does it only for her. She overlooks the great fact,

that the petty theft which she ignores is the beginning of a series of crimes.

Looking, as we are trying to do, beyond felonies of youth, into the acts of childhood, committed with the same intention, not with less sense of responsibility, with less comprehension of the full extent of the evil of the act, though not unconscious that the act is wrong, we reach the object of this article when we invite public philanthropists, parents and guardians, not to neglect the first tokens of developed intellect in the young; to commence then the work of restraint. Then and there seek to make the young candidate for manhood understand that he is not to do that which is wrong, because it is wrong; and with the first step in the path of error his foot is to be directed right. He is to be made to understand the relation between wrong-doing and its consequences, and then it will be easy for him to escape a conduct that commands the denunciation of the good—to avoid a condition that commands the pity of the feeling.

The crowd of little ones that we see at the corners of certain streets, or where those streets are intercepted by alleys, are candidates—candidates for a good fame, or for infamy. And is it supposed that they comprehend that to attain either object, good or bad, they must do something? Have they the least idea that the robe will denote their position? Do they know that *whiteness* of character is the robe for desirable success? Can they comprehend that in morals, as in the Scripture parable, it is the garment that designates; or, knowing that, do they appreciate the means prescribed

for preserving the whiteness of that robe, as well to attain, as to maintain, social position ?

And if these little children, who can scarcely fail of distinction in innocence or crime, do not understand the danger of soiling their robes, and thereby disgracing themselves and injuring society, who shall tell them ? Who is to go out into the hedges and ditches, and by moral influence compel them to come into the place that is the desired end, and the almost sure reward, of permanent virtue.

We have societies for suppressing cruelty to animals—to see that the dog, even if he is to die because of his unlawful existence, shall not be tortured to death. Bless the women who thus provide for dogs.

The horse, the ass, “the ox, patient of labour, with a little pleased,” shall not be grievously burthened nor denied the reward which they demand in food. Doth God take care of oxen ?

We have a society that is to prevent cruelty to children—that is, the tyrant mother, father or master shall not inflict unnecessary punishment, shall not allow continued neglect. Bless the men that thus provide against the physical wants of children.

But as yet the law has not been invoked to aid in protecting children from moral injury. We know that good men and good women do, in many instances, seek to draw away little children from the habit of error which they are acquiring and the association which strengthens small vices that are becoming crimes. God bless the labour and the labourer in such a vineyard. But no associated action, no authorized combi-

nation of the benevolent, has been formed to correct the cruelty of parents—cruelty manifested in neglect—cruelty observable in the congregation of the very young who are becoming familiar with wrong doing, and wrong saying, before they comprehend the wrong of either, who are receiving, unguarded and thoughtlessly, the moral poison that is to infect the whole system, and make miserable and sinful a whole life.

We have written so much with a view of giving it a place in this Journal, that we might awaken and give direction to humanity in a way that should lessen the miseries of prisons by diminishing the number of miserable prisoners in the next generation, knowing, as we do, and as all must acknowledge, that the hand of restraint and the voice of warning to the child, is worth a hundred homilies to the convicted man. "Train up a child," says the wise man, "in the way he *should* go, and when he is old, "he will not depart from it."

By some we are told that children, reared by good people, by excellent parents, do sometimes depart from the way in which they should go. It seems so indeed, but is it so? Has there not been some error in example, some half approval, some defence of bad, that weakens the influence of principles, and leads to the conclusion that, though as a child the aggressor was taught good lessons, and within the influence of the good, he even in manhood maintains the way he should go, till temptation proves that though in childhood he had heard good lessons, and seen good exam-

ples, yet he had not been "TRAINED" up in the way he should go.

We had written most of this paper, when we discovered the following article in the editorial columns of the "*Press*," and while we transfer it to the Journal, in approval of the sentiment it conveys, we do not express approval of the particular means suggested to arrest the growing evil of erring childhood. We withhold approval less because we wish to propose another, than because we have not fully investigated the plan proposed by the "*Press*."

SCHOOLS OF CRIME.

"Dark as are the daily records of crime, and terrible
"as are some of its most familiar phases, all this history
"of human depravity seems pure and white when com-
"pared to the precocious viciousness of offenders whose
"tender years should be accompanied by perfect inno-
"cence. Each succeeding day brings its recurring
"proofs of the depths to which the youngest children
"are, by base associations, plunged; and police reports
"are burdened with examples of these unnatural devel-
"opments. But of such cases comparatively few ever
"appear in the columns of daily papers, as the little
"prisoners are generally brought up before a magis-
"trate, and either discharged with a reprimand, which
"goes in at one ear and out the other, or hurried off to
"some reformatory institution, from which they may
"emerge wiser and better, or older and more hardened.

“Every great city, with its courts and alleys peopled with ignorance and vice, is a school of wickedness, in which the young are not slow to learn; while the tenement districts are hot-houses of crime, in which children ripen prematurely into thieves, vagabonds and murderers. As the little ones grow up and become inmates of prisons and almshouses, or, very often food for the gibbet, others are born to take their places, and thus the great criminal class not only fills its ranks, but increases its numbers.

“To search for some remedy for this condition of society is the duty of every lover of his race; to find that remedy will be difficult. But that something must be done, and done quickly, is evident. The law of inheritance would naturally incline the children of thieves to steal; but as a forger, embezzler, or counterfeiter may be descended from honest and respectable parents, so may the offspring of criminals become, under favorable conditions, useful and honorable citizens. Good may be brought out of evil if the right means are taken to secure it. Mission schools and benevolent organizations of all kinds have their uses, but none of them go deep enough. What is wanted is a society with power sufficient to secure possession of the children of criminal progenitors, and means enough to provide for their charges in a way that shall educate and elevate while surrounding them with necessary comforts. All this would cost money; all this would include the separation of children from their parents; but as an ounce of prevention is worth a pound of cure, is it not better to support well-conducted re-

“ formatory institutions than prisons ; better to rob
“ fathers and mothers than leave the task for the turn-
“ key or the gallows ? In this age of benevolence and
“ social reform no subject is of more importance, and yet
“ none has received so little attention from those whose
“ time, money and labors are continually given to objects
“ of charity. We trust that it will be neglected no long-
“ er, for every year but adds to the work which must
“ eventually be performed.”

TREASURER'S REPORT.

TREASURER'S REPORT.

123

Philadelphia Society for Alleviating the Miseries of Public Prisons.

CR.

By Cash paid Committee on Discharged Prisoners, Eastern Penitentiary.....		\$1,000 00	
" " " Committee on Discharged Prisoners, County Prison.....		420 00	
" " " W. W. Walters, Agent at Penitentiary.....		400 00	
" " " Wm. J. Mullen, Agent at County Prison.....		400 00	
" " " Secretary, H. G. Townsend.....		50 00	
" " " for Rent of Room, 1 Year, for Meetings.....		50 00	
" " " Printing Journal, etc.....		270 80	
" " " City Warrants—Investment.....		1,625 72	
" " " Ground Rents—Re-Investment of U. S. Bonds called in.....		1,406 63	
" " " Sundries.....		48 75	
" " " Court Charges—Pemberton Fund.....		52 80	\$5,724 70
1878. 1 Mo., 24. To Balance.....			\$385 27
" " Barton Fund—Income.....			18 91
HENRY M. LAING, Treasurer, 30 North Third street. <i>Philadelphia, 1 Mo., 24, 1878.</i>			
Having examined the Account of Henry M. Laing, Treasurer, and the Vouchers in his possession, we find the above to be correct, leaving a balance in his hands of three hundred and eighty-five dollars and twenty-seven cents; also, a balance of eighteen dollars and ninety-one cents due to the Barton Fund. CHAS. ROGERS, GEORGE TABER, <i>Auditors.</i> <i>Philadelphia, January 26, 1878.</i>			

ARTICLE IV.

The Treasurer shall keep the money and accounts, and pay all the orders of the Society, or of the Acting Committee, signed by the Presiding officer and the Secretary, and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All Disbursements, donations and life subscriptions, shall be duly received, only the moneys thereof to be applied to the current expenses of the Society.

ARTICLE V.

The Acting Committee shall consist of the officers of the Society, ex-officio, and thirty other members. They shall visit the prisoners hereafter specified, inquire into the circumstances of the prisoners, and report such crimes as they shall discover, to the proper courts appointed to remedy them. They shall regard the influence of Christianity on the morals of our prisoners. They shall send fifteen minutes of their proceedings, which shall be submitted at the next Stated Meeting of the Society, and shall be authorized to set prisoners free upon their own bond, whether delinquent from duty, or removed from the City, or comorbidity or unable to remain in prison in accordance with their regulations. They shall also have the sole power of electing new members.

ARTICLE VI.

Proposals for membership may be proposed at any meeting of the Society, or of the Acting Committee; but no admission shall ever pass within ten days after such nomination. Each member must pay for a year's contribution of two dollars; but the payment of twelve dollars at any one time shall constitute a life membership.

ARTICLE VII.

Transient members may be elected at such times as the Society may deem expedient.

ARTICLE VIII.

Delinquents shall hold Stated Meetings on the fourth fifth day of January, and the seventh and thirteenth, April, July and October, and a new series shall constitute a quorum.

ARTICLE IX.

Any alterations to the Constitution, shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, not less than twenty days previous to the adoption of such alterations, and questions shall be decided, where there is a majority of twenty-five, and if there is more than the Society is equally divided, the President present shall have the casting vote.

OFFICERS OF THE SOCIETY.

1878.

President. — JAMES J. BARCLAY.

Vice President. { ROBERT R. CHANTLER.
WILLIAM S. PIERCE.

Treasurer. — HENRY W. TAINSL.

Secretaries. { JOHN J. LYTLE.
EDWARD TOWNSEND.

Correspondence. { HENRY E. WILLIAMS.
WILLIAM DONAHUE.

Members of the Acting Committee.

Thomas Lattimer,	Harvey W. Peltin,	Rev. William J. Shaw.
Alfred H. Love,	Harry Kennedy,	Charles Rogers,
George Tracy,	Samuel W. Jacobs,	Percece E. Hosmer,
Theodore Townsend,	Edith J. Milne,	William W. Watson,
William J. Mathers,	Leonard N. Walker,	Thomas W. Allen,
Thomas A. Robinson,	William Whitcomb,	P. H. Goodenow,
W. Jackson Overt, M. D.,	Edward H. Russell,	Israel Gilemer,
Rev. Charles F. Liver,	Abner C. Townsend,	George Hunt,
Joseph Kinsler,	Charles McGowan,	A. M. Thompson,
George W. Hall,	Joseph A. Donahue,	Edward Chacein,
William Hawkins,	John D. Conroy,	Henry Henry,
J. J. Woodworth,	Peleg Williamson,	James S. Martin,
Rev. B. B. Daulton,	William H. Jones,	James Ross,
William Lyman,	William Thomas Ingram,	M. M. Swain,
	Thomas C. Carleton.	

Visiting Committee on the Eastern Penitentiary.

Henry M. Laing,	Samuel W. Jacobs,	Theodore W. Peltin,
John J. Lytle,	Edith J. Milne,	P. H. Goodenow,
Alfred H. Love,	Leonard N. Walker,	Israel Gilemer,
George Tracy,	William Whitcomb,	George Hunt,
Theodore Townsend,	Abner C. Townsend,	A. M. Thompson,
A. Jackson Overt, M. D.,	Charles McGowan,	Edward Chacein,
Rev. Charles F. Liver,	Joseph A. Donahue,	Henry Henry,
William Hawkins,	William H. Jones,	James S. Martin,
J. J. Woodworth,	Rev. William J. Shaw,	James Ross,
George W. Peltin,	Percece E. Hosmer,	M. M. Swain,
Harry Kennedy,	William W. Watson,	Thomas W. Allen,

Visiting Committee on the County Prison.

Harvey W. Peltin,	Edith J. Milne,	George Hunt,
William S. Pierce,	Joseph A. Donahue,	James S. Martin,
William J. Mathers,	James M. Hall,	Thomas W. Allen,
William D. Conroy,	Rev. E. E. Watson,	W. H. Thompson,
	Charles Rogers,	

Our members & friends are invited to attend the annual Convention of the Society, to be held at the Hotel de Ville, New York, on the 1st of May.

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THE JOURNAL

OF

PRISON DISCIPLINE

AND

PHILANTHROPY.

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"
INSTITUTED 1787.

JANUARY, 1879.

PHILADELPHIA:
THE CHANDLER PRINTING HOUSE,
Nos. 306 AND 308 CHESTNUT STREET.
1879.

CONSTITUTION

OF THE

Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not canceled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt, (the usual attendants of prisons,) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity their undue and illegal sufferings may be prevented; the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested, as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes they have adopted the following CONSTITUTION:—

ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors, and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society, within thirty days, for the purpose of holding such election, of which at least three days' notice shall be given.

ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call Special Meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

NEW SERIES.

NO. XVIII.

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY.

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ROOMS OF THE

PHILADELPHIA SOCIETY

FOR

ALLEVIATING THE MISERIES OF PUBLIC PRISONS

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the Twelfth Month, (December,) 19th, 1878, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, EDWARD H. BONSAILL and the REV. E. R. BEADLE, D. D., presented the draft of the Annual Report, which, being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At a Special Meeting of the Society, held Twelfth Month, 19th, 1878, the Report was presented by the Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they might think proper; and they were also authorized to distribute the Report.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE,
Secretary.

JOURNAL.

REPORT OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

THE "Acting Committee," upon whom are devolved the executive duties of "The Society for Alleviating the Miseries of Public Prisons," respectfully report to the Society itself, the action which they have had, in obedience to the Constitution and By-laws; also, the various duties performed by the Committees and Agents of the Society; and, while presenting these matters as evidence of exertions in the right direction, they respectfully ask that, should the Society approve of the Report, and accept it for record, it should authorize its publication in the Annual Journal, with

such other pertinent matter as may be presented by the "Editorial Board."

The "Acting Committee" do not wish to publish the proceedings of the Committee and Agents with a view of parading the work for applause, but only with a desire that the intent and action of the Society being made known, many may be induced to aid its efforts to alleviate the miseries of prisons.

The Acting Committee, also, jealous of the credit which the Society deserves by its intention, and of the praise which has been accorded to it for its successful labour, thinks it a duty that its work should be made known to the citizens, and the plans and discrimination used in its labour be made public, so that, while the Society intends good, and does good, for the unfortunate, its "good shall not be evil spoken of." To that end, the Report will be supplied with statements from the Reports of the two Agents. While both are of deep interest as illustrating the mode by which the Acting Committee reaches some of its objects, the Statement of the Agent for the County Prison must be considered one of the principal means adopted and employed by the Society to make its influence felt.

This appearance of priority of consideration, has reference only to the class of cases with which each Agent has to deal. The Agent for the Penitentiary has an important duty in his arrangements for the convicts when they shall have left the Penitentiary; and, in carrying out those arrangements, to procure employment for them, or in providing means, by money and conveyance, for them to reach their homes, for we

must not, in ordinary circumstances, "send them empty away."

We shall see in the Report of the Agent for the Penitentiary, how he has discharged his duties, and we shall see that he holds no sinecure.

The Agent for the County Prison has, also, as a part of his duties, to provide for discharged convicts, and to aid them to reach some designated place. But the great feature of his work is in behalf of untried prisoners, and the removal of some found guilty by a jury, but who may justly plead some mitigating circumstances. Of the many arrested, a very large portion are released from the County Prison, before trial, by the intervention of the Agent, who demonstrates to the Magistrate the fact that all would be better if the prisoner were released; often, from the later discovery of evidence in his favour; often, from the discovery that there was no evidence against him; often, from the promise "not again to offend in that way;" from the withdrawal of the prosecution, and solemn assurance that the prisoner will, for a certain time, abstain from the use of all intoxicating drinks; and sometimes, that the quick-tempered cell-occupant will try to curb his own feelings, or keep away from those who excite him to wrath. But all these means are to be made successful only by constant exertion, constant labour, constant self-restraint, and the maintenance of credit with the Magistrate and Court, for pure motives and upright dealing.

The statement that the Agent has procured the release of two or three hundred untried prisoners in

one month, scarcely arrests attention with the public ; and even with the Society in whose name so much is done little is thought of it, excepting that the work is well done. Could those who have a word of ridicule or censure for the Agent and his work, who seem to think that his salary is easily earned, follow him in one of his difficult cases—follow him from the cell to the Magistrate, from the Magistrate to the prosecutor, from the prosecutor to the witness, and see what is his plea before authority, what his argument with the prosecutor, what are the abuses sometimes poured out upon him, as if he were the advocate of crime, and the shelterer of criminals ; could they hear the argument for kindness that followed that abuse, and see sometimes how by the Agent's patience under his own injuries, the prosecutor is led to exhibit forbearance under his own wrongs, and become with the Agent a pleader to the Magistrate for mercy ; could they see a case of that kind and understand that it was a representative case, they would award to the Agent high praise for honest and faithful perseverance in the work which he has assumed, and commend him for the right *manner* in which he performs a good work, reflecting commendation on the Principal, that is, upon the Society.

The interest which the Society has in the labour of the Agent should, and it is not doubted, does, influence the selection of the objects for his exertions ; or rather let it be said, in the conclusion to adopt for advocacy the case which he is called upon to hear. There are instances of men and women in prison whose cases do not lead to a wish to have them released from confine-

ment until that which has led to their incarceration shall have been repented of. The release of a rogue from imprisonment would not be likely to be of great permanent benefit to him, and it would undoubtedly be a serious evil to the community upon whom he is set free.

In none of its publications has "The Society for Alleviating the Miseries of Public Prisons" ever advanced an idea that the thief does not deserve conviction, or that conviction does not deserve punishment. It is not the object of this Society to save the criminal from imprisonment. Its great end is to see that the punishment shall not by length go beyond justice, and that the infliction of that punishment, however long, shall not be marked by cruelty in the kind or the administration; and, above all, that the punishment shall be so regulated that resolves of amendment shall take the place of determination to revenge.

To say, therefore, that a certain number of persons have been released from prison by the intervention of the Agent, is not to declare that which must command approval as a work of philanthropy. Discrimination among cases is of the utmost consequence. The young man who by any untoward circumstance has been drawn into unlawful acts, may be allowed the benefit of "youth" and the right to plead the extraordinary circumstance, or the Agent may feel justified in considering such pleas, and giving them extraordinary weight. But the person who having been detected in gross violation of trust has renewed his outrage after promising amendment, ought to expect that, at

least, the mercy he asks will be slowly granted. The truth is, society has a claim on us all for protection, and the release of an unrepentant rascal is an outrage upon that community of which we are a part, and of whose rights we, like all others, should be watchful and protective.

The release of untried prisoners is an alleviation of the miseries of prison, inasmuch as it lessens the misery of crowded cells. It alleviates thus the misery of prisoners also, and separates the favoured ones from the misery of confinement. But the true alleviation of the miseries of public prisons has a wider scope, and a more important operation. The procuring the release of the untried prisoner is only a benefit when an innocent person is released from the miseries and disgrace of imprisonment in anticipation of the action of the Grand Jury or the Criminal Courts; or when a real offender has advanced so little in crime as to be not only capable of being amended, but willing also to attempt the improvement. That such a class of persons is found in the prisons is evident to the prison visitor, but especially is it established by the facts stated in the Agent's Monthly Reports to the County Prison Committee. Sometimes more than two hundred releases are procured in a single month by the indefatigable Agent, and seldom is the return much less than that.

But are not some of these two hundred really guilty persons?

Perhaps nearly all are, so far as the particular charge against them is to be considered; but the alle-

viating circumstances alluded to above may be pleaded in behalf of the accused.

To such persons, to those charged with small offences that they have not before committed, to those who have not frequently violated pledges of forbearance from gross misdeeds, pledges upon which a release may have perhaps several times been procured, the earnest efforts of the Agent in compliance with the intentions and rules of the Society, and in conformity to the instructions which he receives with his appointment, are given. We and all who know the zeal and labour of that Agent can testify to his eminent success.

But it is no part of the intentions of this Society, and contrary to the instructions given to the Agent, that he should seek to withdraw from condign visitation any hardened criminal, whose outcries for assistance are usually in proportion to his guilt, and whose regret is not for the crime, but for its detection.

By no means do we intend to censure the Agent for any such excess of zeal—such deficiency in judgment, and such a departure from the spirit and intention of the Society whose Agent he is—no doubt that the Agent of this Association is liable to be deceived by the misrepresentation of the prisoner, and the persevering solicitation of the prisoner's friends—and to be led thus into the adoption of a case which should not be taken up—but those who know him and his labours understand that on a further and better acquaintance with the case, he leaves it to its special legal conductor and to the Courts. And under all circum-

stances it is gratifying to feel the conviction as it regards the labours of the Agent, that all—

“ His failings lean toward *mercy's* side.”

But there is a vast difference not only in the crimes, but in the criminals. A very large proportion of the commitments are for “Breach of Peace,” “By Abuse,” “By Fighting,” etc. Certainly among those who enter prison on such charges, perhaps not half have done anything to justify imprisonment for any length of time, and such are, by the Agent's exertions, released by the Magistrate.

But there is a class of public offenders who rarely think of turning to any lawful means of procuring a subsistence, or if they do turn to such means, it is only to attain a better position for crime.

Drunkenness, quarrelling, assault and theft are violations of the law with which the Magistrates have most to do. The offender, after being released once or twice, is sent to the “House of Correction;” whence he is soon released, and then the next sentence is to the County Prison, and this alternation goes on.

The Agent, perhaps, tries once more to alleviate the prison of the misery of such persons, but the release from prison is only used to renew the act that caused imprisonment. Moral suasion, personal attention, close attempts to lead to better thoughts, better plans, better company and better action, fail of everything but promises, made with intention of breaking them.

The oft-offending accused, and the frequent-visiting convict, leave the prison with an air or profession of innocence truly gratifying. Yet, in a few days, the papers, in their list of bad acts, mention the same persons charged with the same offences. To apply to such a person the proverb sanctified by scriptural use, would be an insult to the animal of the same sex that is said to have been washed.

What then? The penalties prescribed by existing laws are all applied—and applied in vain.

Are the laws sufficiently severe? Are the laws sufficiently discriminating?

There needs some further legislation—some prescription, which shall lessen the number of those who outrage society and are in perpetual crime; while jails and houses of correction stand costly monuments of unapplied justice and misapplied philanthropy.

The primary object and action of this Society in this regard were not to prevent the punishment of crime, but to see that the punishment is inflicted with justice, without cruelty, and the offender placed in the way of moral improvement.

At the formation of this society convicts were forced to work in the streets with ball and chain, while those who were not supplied with those impediments, were kept in wretched confinement that was as destructive of physical health as the street exercise of the convict was ruinous to all the manly feelings which crime might have spared. That sort of punishment was more injurious to society than was the felony which it was to expiate. But it proceeded from the

unenlightened feelings of the age ; from no disposition on the part of the Legislature to be cruel to the offender, but from a want of full consideration of what was the object of legal punishment ; the false idea that the work of justice was performed when the offender was placed where for the time he could not do public injury ; where he would suffer the full measure of the law's prescription, and not be regarded as dangerous to the community. As soon as the public mind came to be awakened to the true idea of imprisonment for crime ; to comprehend that it was the future safety of society, as well as its present ease, that was consulted in the penalty, and that the restoration to former position was one of the great objects in light punishment ; that the jail, while it is a place for penal punishment, is also a place for moral reformation ; with these perceptions of possibilities, came the resolution to achieve them.

The brilliant light of duty and its discharge almost naturally dazzled, and while we applaud the many plans to alleviate the miseries of prisons, we find some cause to disapprove of some of the administration of those plans. It cannot be doubted that the kind hearted, the feeling and the generous have sometimes allowed their feelings to take the place of justice, and have made the fact of imprisonment the motive for interference for release. And some Legislatures, anxious to show laudable humanity which other similar bodies have manifested, have confounded their interference with well balanced justice, and have thought to have equaled other law making bodies,

when they had only imitated some enactments, without any consideration of the character and direction of others. There can be no doubt that in our own State, from a want of a full understanding of the effect of the laws, or the neglect of existing laws, much injury has been done society; as also by laws that seemed calculated only to reach a certain class of cases, and which are in opposition to the good sense of valued citizens, and the good provisions of the existing laws. Ill regulated philanthropy abroad has done much to defeat the ends of justice and prevent the exercise of mercy; and the boldness with which misdemeanors are committed and repeated renders it certain that we need more stringent criminal laws, or we need to have the existing enactments more stringently administered. That idea is worthy of consideration. Some of our citizens think that the prevalence of crime in our midst denotes the want of severe laws, and yet it will be noticed that when any circumstance gives special consequence to a bad act, and seems to require prompt punishment, the enactment is easily found that commands or warrants summary proceedings. Much of the theft that was committed at the International Exhibition in this City, in the year 1876, escaped punishment for want of detection. The opportunity to steal was abundant, while the chance of arrest was very small. But where there was detection there was a promptness of conviction and a certainty of punishment which seemed to show that stringency of administration was well understood and practiced. No doubt some instances of important mistakes were

discoverable, but not more than would follow the same number of arrests at other times.

Prompt detection, early conviction, and a full sentence for the guilty, can be had.

This Society can have no triumph in the defeat of vicious plans nor any gratification in the escape of criminals. It seeks the benefit of the whole in the *improvement* of the few. It mourns over the exhibition of criminal intention in the conviction of the felon, but it would rejoice more to find successful the plan for leading the convict away from vicious intention, than the release of an offender without justice or without improvement.

We must, therefore, carefully consider the character of an offender whom we would reform, and give consequence to the character and weight of the punishment which may be applied as a means of reformation. We must consider not only whether excessive severity does not hinder a resolution of improvement, and no less so, whether a laxity of severity in the law and in the administration of the law, is not equally antagonistic to our plans and labours for the moral reform of the prisoner.

It is perhaps sufficient proof of a want of severity somewhere, that violators of the law do not seem to hold the prison in wholesome dread. An instance of the rapidity of change and the indifference to imprisonment, was mentioned by one of the keepers of the untried department, that on the close of the Criminal Court last Summer, only thirty untried prisoners were left in a certain corridor, and in ten days from that

time, the number increased to more than one hundred and seventy, and among those who came thither in the ten days, were many who had been released two weeks previously. They seemed to have improved their time while out. Indeed, it may be said that there are persons who seem to divide their time between pilfering while out of prison, and getting strength for new felonies while in the cells, and it is said, in general, that the prison gets the greatest part of their life after they are eighteen years old.

It is remarked that the persons whom the Magistrates commit as professional thieves, under "the ninety days act," are almost certain to renew their occupancy of a cell in a very short time, either as positive thieves, or as suspected by their actions of being about to commit a felony.

It can scarcely be hoped that moral suasion can do much with such people when they are crowded together three and four in a cell. Almost any one who will talk kindly with them, will be repaid by confessions and promises to his face, and be ridiculed or cursed when he retires from the place where he had commenced what he intended should be on his part work of gentle persuasion and hopeful effort, and what he hoped would be on the part of the recipient a work productive of good resolves and hearty repentance. He will find that no resolve of good had been formed; and, if any appearance of grief beyond regret for conviction was manifested, it was the production of hypocrisy. It is to be regretted that the crowded state of the cells, and the limited time of occupancy, forbid a

well-founded hope of improvement. The criminal continues to wallow in her mire; she never was washed; she continues to wallow. Her frequent returns to prison afford well-improved opportunities to renew lost strength and mature her plans for future debaucheries or felonies. Nor does she neglect the chance afforded by her congregate confinement not only to contrive *by experience* to multiply crime, but also by argument to increase the number of criminals.

If such is the poor chance of improving the morals of untried or tried prisoners some one will ask:—"What is the use of employing the Agent and incurring the expense of that employment?" Well, the sum expended is so small that we need not reply to that part. There are very many men in the City who spend, annually, more for segars than the yearly service of the Agent costs this Society.

But if such is the small chance of improvement of prisoners in the cell, why take up an Agent's time?

We answer:—The mission of the Agent is not one for morals but for release. The Agent is not expected to stop at the door of a County Prison cell and deal with the inmate, on the subject of morals. He is to inquire into the cause of imprisonment before the trial takes place, and if he think, or the prisoner thinks, that the act charged cannot be proved, or is too insignificant to lead to imprisonment, he is to use influence with the Magistrate and the prosecutor to save the man from protracted imprisonment and the City from the cost of trying the case in Court. He may follow it to the Court; he may seek to mitigate

the sentence, or he may interfere in particular cases to shew by new evidence that no crime was committed ; all which he has done with wonderful judgment. But the Agent is not expected to employ his time at the cell doors in moral suasion ; that is the work of the appointed Visitor to the County Prison, though it is not prohibited to the Agent.

Whatever may be the result of a criminal's trial, the business of the Agent does not cease with that. There are always enough untried prisoners to employ his time, he may not deem a certain case as rightly appealing to his exertions for release, but before he declines the labour he must understand the merits of the case, and in many cases where attempt to procure release would be manifestly improper, there is a call for his interference to aid in procuring testimony and insuring justice.

We have said that there appears in many cases presented to be a necessity for increased severity in the punishment of offenders, but no case is unworthy attention. If the accused is innocent, the interference of the Agent is requisite :—If he is guilty, the interference of the Moral Instructor is suggested, and that can scarcely fail of good, especially if the convict is so placed that others shall not hear the lesson of the Visitor, and the time is so extended that the convict may weigh the instruction and mature repentance and resolve. These, experience teaches, are requisites essential to success in moral suasion with convicts. The prisoner must not be placed in a position where he can be ridiculed out of good impression and proper

resolves, and must have time to assure himself of the earnestness of those resolves.

This is a matter of vast importance in our statement, because it is of vast importance to a proper exposition of the duties of the Visitors of the Society, and an explanation of the manner in which those duties are to be discharged. The importance of this part of the duty, and of its discharge, can only be estimated by one who knows the importance of the Society, because that work of close visitation, of careful, kind dealing, and profitable entreaty and advice to the convict, must be regarded as one of the chief works of the Society. We do not now think of any disposition of time and service of a Visitor superior to this.

The Society has held its quarterly meetings and such extraordinary assemblages as may have been rendered expedient by circumstances.

The Acting Committee has held its monthly meetings, with the exception of those for July and August. The general absence of our members from the City in those months, suggests the propriety of allowing the ordinary business to await the return of members in September. The attendance of members has been very good, and the interest manifested by those present at our meetings is received as further evidence of the progress of our Society on its own merits.

Questions of importance have been discussed with earnestness and courtesy, zeal and propriety, and it may not be improper to add, that the amenities of social intercourse have been maintained among the

active members. The objects of our Association are above all personal consideration, and their importance is recognized in all discussions in our assemblies.

The contributions by the Commonwealth to the fund of the Society for aiding discharged prisoners are exhausted, but the claims upon the fund have not been diminished. It is most desirable that the Legislature of the State should renew its appropriation, especially as it is now and has before been stated that not a dollar of the Legislative appropriation is ever expended upon convicts discharged from the County Prison. It is known that the inmates of cells of the Eastern Penitentiary are largely supplied from the Counties of the Eastern division of the State, and often the prisoners arrive at the Eastern Penitentiary in a condition, as it regards clothing, that is offensive to decency. This Society, when the term of a prisoner in the Eastern Penitentiary is accomplished, spends some money upon his necessary clothing, and in purchasing tickets for his return home. The provisions of the Penitentiary for such purposes are wholly inadequate, and this Society has felt itself compelled to supply the deficiency, and as appears upon its records, has spent of its own funds in that way many thousands of dollars. There is no justice in that, and some consideration of the subject ought to lead the Legislature of the State to aid rather than impede the work of assisting the prisoners of the State.

The Acting Committee have pleasure in stating that the number of members of the Society, though lessened at times by the death of some useful, as acting

or contributing associates, still on the whole increases by the accession of others who are willing to help.

The cause which called our Society into existence is not likely to cease among us. Vice, crime, and their punishment, seem to be the natural outgrowth of human association; and it is not the outgrowth but the spirit itself of our Society to make that punishment the means of lessening vice and crime; to make our ministration promotive not only of good resolutions in those who undergo the punishment, but of comfort in suffering, and permanent improvement on release. And this work must be done by constant action of our Society, the interference of our Agents, and the abiding solicitude and kind persuasions of our appointed Visitors, of whose duties and services we purpose to speak.

PRISON AGENT.

There are, it is known, two persons specially employed by this Society to attend to certain executive duties at the State Penitentiary and at the County Prison. The work of both of these agents is important, and we shall note these officers separately.

The duties of "The Agent for the County Prison" are peculiar. He of course deals some with all classes. He is called, however, more earnestly to the untried than to the convicted, because, till a verdict is rendered, there is always hope of evading or avoiding trial; and the demands of the newly arrested are al-

ways more earnest than those of the convict. William J. Mullen continues to act as the Agent of the Society for the County Prison; his retaining the confidence of the Court and the Prison Inspectors, is a proof that the trust imposed by this Society is well deserved. We have said that the duties of the Agent at the County Prison are varied, and we may add they are often vexatious. The work of seeking the liberation of untried prisoners is emphatically that of the Agent. It is a work that must be undertaken with care, and in each individual case the particular merits must be known, and the demerits considered. Some of these demerits are not made known to the Agent till he has sought the release of the accused, who has made him at first pretty well acquainted with what he, the said accused, is pleased to consider the merits of the case. In no part of the Agent's multiplied and varied duties is more judgment required. In no part of his labour is he more liable to severe censure from those who know the result, without being acquainted with the circumstances. "The Prison Agent" it is said, "has procured the release of a man charged with felony."

That may be true; it is often true. But the *charge* of felony and the release seem to be all that is known, and some exclaim:—What a public wrong to procure the release, without trial, of one charged with felony!!!

But he may not be guilty, and the prosecutor may become satisfied of his innocence.

Then, why not let him take his trial, and let it appear that in his release, justice has suffered no wrong?

Because the accused may have to lie in prison or be under bail for some months ; and it would be a great wrong to allow an innocent person to lie under the disgrace of unremoved imputation of crime. Everybody knows that the bailed prisoner is a candidate for the prison, or, at least, for the Criminal Court.

The settlement of a case, which can scarcely take place without the concurrence of the prosecutor and Magistrate, is far more gratifying to the man, and purifying to the character of the accused than an ordinary verdict of "acquittal" by jury. The settlement seems to say of the felonious act, "not committed." The releasing verdict only says "not proved."

Such a release of an accused person, is the work of the Agent, a work often performed.

But the hundreds, the thousands of imprisonments which only involve misconduct in the charge, bring disgrace and distress upon families. When that is known, and where no special culpability marks the act, the interference is merciful to the unimprisoned members of the family, and often promotive in the prisoner of resolves for good, which would have been prevented by long incarceration, for what was, perhaps, merely Breach of the Peace, which signifies only disturbance of neighborly quiet. The offence is usually "constructive;" the peace is not absolutely broken, but it is endangered.

But there are in the County Prison usually more untried than there are convict prisoners, and the untried look to the Agent to secure their release without trial, and the convict hopes for help on the termina-

tion of his sentence. With both of these classes the Agent has to deal.

It is not expected that the Agent will say to the untried:—"You are bad, and, though you may not have committed the fault with which you are charged, yet your antecedents are bad and, therefore, I shall leave you to the justice of the Court." It may be just, thus to rebuff a prisoner, but it is not merciful. It is not the temper of the Society; it has never been the practice of the Agent. It would be a just subject of regret if the Agent of the Society should employ his time and his influence in releasing from prison, and preventing the trial, of any one charged with heinous offence against the laws of the State, and the peace and dignity of our well ordered society. But there may be charges of grave offences, and there even may be conviction on those charges, which may justly call for the Agent's aid to prevent the trial, or for his interference to prevent the execution of the Judge's sentence, where new, lately discovered, evidence may justify interference. Such a case was reported in the Journal last year, and the interference was approved by the Court, and was so well sustained that the Board of Pardons had no hesitancy in favoring the application, and recommending the case to the Governor's approval, and the Governor did grant the pardon, and the innocent man returned to his family and community, by whom his innocence was never doubted.

We see then that while the Courts, the Magistrates, and the prison authorities have duties and responsibilities, the Agent is not without an office that re-

quires thought, and imposes responsibilities. He must inquire, and the response is often different from public opinion, nay, sometimes it differs from what has been heard in Court.

In such cases the Agent for the County Prison finds his principal work, not perhaps a work the most important, but certainly the clients of that class are most numerous. Often one hundred and twenty-five persons are committed at the morning delivery at the County Prison. After the call for water is made and satisfied, the question is put, "Where is Mr. Mullen?" and when his hour of visitation arrives, he is almost invariably there. Many of these miserable objects, (miserable, even though not very guilty, from their associations,) are looked after, and in a day or two released. Almost all of them, male or female, are of some use at home. It is difficult to point out any use of which they are in prison. It may be said that, at least they are out of the streets for the term of imprisonment, but so, also, may it be said, that while they are in prison, it is not improbable that the wretched wife and the unkempt children are abroad. A few days imprisonment for that class of persons is of less service to the community, through their families, than are months of incarceration to them.

We have said that it is not a part of the Agent's mission to seek by moral suasion to lead any of this squalid population back to virtue. He has enough to do to lead them back to their suffering families, procuring for them the administration of a pledge of temperance, which is prudently limited as it regards time, lest the hopelessness of the liberty of drunkenness,

should lead them to violate their pledge, and to return, by a short way and in a short time, to their wallowing in the mire.

It is difficult to state exactly what are the duties of the Agent, because it is difficult to tell what are not his duties under certain circumstances. The efficiency with which some of the most obvious of his prescribed duties are discharged, lead some to induce him to make their very different cases one of his duties, and thus his labours are multiplied.

WM J. MULLEN'S REPORT.

PHILADELPHIA, *November 30, 1878.*

To the Chairman of the Editorial Board of the "Philadelphia Society for Alleviating the Miseries of Public Prisons."—

RESPECTED SIR :—

In compliance with your request I have given you a statement of the number of cases that I have caused to be released from our County Prison within the past year, and this accompanied by some of the cases as taken from the whole number. They were all "Court Cases," and were released with the consent of the proper authorities, and, in most instances, with the consent of the prosecutors.

The number of prisoners released through the interference of the Agent, within the past year, from November 24, 1877, to November 24, 1878, was two thousand four hundred and forty-nine, (2,449). This was done at a saving to the tax payers of thirty thousand dollars and twenty-five cents, (\$30,000 25,) of which sum there would have been required to be expended for the ignoring of their

cases, the sum of seventeen thousand seven hundred and fifty-five dollars and twenty-five cents, (\$17,755 25). In addition to this, the sum of twelve thousand two hundred and forty-five dollars (\$12,245,) would have been required to be paid for their support, at twenty cents per day, from the time they were released to the earliest period that their cases could be disposed of, which would be at the commencement of each term of the Criminal Court.

Amount of prisoners' money expended as costs in the settlement of their cases, which was paid to the Magistrates and others, was seventeen dollars (\$17).

The whole number of prisoners released through the interference of the Agent, within the last twenty-five years, since the commencement of the Agency, is forty-five thousand six hundred and thirty-seven, (45,637). In addition to the above, there have been one thousand seven hundred letters written within the past year for prisoners and their friends.

WILLIAM J. MULLEN,

Agent.

LIST OF CASES OF THE PRISON AGENT FOR 1878.

NUMBER 1:—Was that of a young woman, who was respectably connected, who resided in Wilkes-Barre, Pennsylvania, who was committed to prison upon the charge of "Larceny," upon three different Bills of Indictment. The Agent supplied her with counsel, in the person of William N. Ashman, esq., who has been since unanimously elected a Judge of the Orphans Court of this City.

Her counsel ably defended her, and he endeavored to prove by respectable witnesses brought from Wilkes-Barre, that she was insane, and was not accountable for the offence committed.

She was found guilty, and recommended to the mercy of the Court. Enough was proven, however, to satisfy the Court that she was of unsound mind; this being the case, your Agent was taken for bail, with the consent of the District Attorney. This was done with the understanding that your Agent would take charge of her,

and have her sent to her grandmother, at Wilkes-Barre, for the purpose of having her conveyed to an Insane Asylum, or to her mother, who lives out West. All this has been accomplished by your Agent's interference, by the authority of the Court. The case has proven satisfactory to all parties concerned. The female apparel that she had taken, and which caused her conviction, was of but little value.

NUMBER 2 :—Were the cases of two sailors who were strangers in our City, that were committed to prison upon the charge of "Breach-of-the-Peace and Abuse," an offence which they committed at a time when they were intoxicated. As the vessel they were connected with was about to leave the Port, and as they would have lost their situations and pay, the Agent interfered in their behalf, and had the case settled in time for them to leave in the vessel.

NUMBER 3 :—Was the case of a man and his wife, committed to prison upon a *Capias* issued by the Sheriff, upon the charge of "Slander." Their offence consisted in saying that their prosecutor was an old convict that had served out several terms of imprisonment. As what they had said was true, the Agent interfered in their behalf, and saw that they were released from Prison, with the consent of the prosecutor. They had a helpless family dependent upon them for support.

NUMBER 4 :—Was the case of a poor man, committed to prison upon the charge of "Wife Desertion." The prisoner was out of employment, and, in consequence of this he was unable to give support to his family.

His former employer was seen, who promised to give him work at good wages. The Agent got his wife to accompany him into Court and ask for his release, which was granted, and the man was restored to his family.

NUMBER 5 :—Was the case of a woman who was imprisoned upon the charge of "Larceny of a butter-kettle," of little value. The Agent found, upon investigation, that the prisoner was not guilty.

At the time that she was arrested, she entered the store for the purpose of purchasing the article she stood in need of. The prisoner was the mother of three young children who were dependent upon her for support. The Agent saw that the case was promptly returned to Court, and acted upon by the Grand Jury, who ignored her case, and caused her to be released, with the consent of the authorities.

NUMBER 6:—Was that of an honest and industrious man that was out of employment, and he and his children were in a distressed condition, at a time when his prosecutor asked him to pay an indebtedness of four dollars that he owed, he said he was not able to pay the debt, at which time the prosecutor cursed him, and struck him with such violence as to break his arm.

The poor man was then taken to the hospital, where he remained and received such treatment that caused his arm to get well, after his recovery he prosecuted the man who struck him for damages. His prosecutor caused a cross-suit to be brought against the prisoner upon the charge of "Perjury," the Agent saw that the prisoner was supplied with Counsel, that ably defended him in such a manner that satisfied the jury that he was not guilty of "Perjury," and that he should be at once released from prison to look after his family, and left free to prosecute for damages. The Agent saw that his helpless children were supplied with sufficient money to procure food for them during the time their father was in prison.

NUMBER 7:—Was that of a man who was imprisoned upon the charge of being suspected as a "Burglar." The Agent ascertained that the tools he had taken with him, that led to his arrest, were his own, and were such as he used in his business, (he being a tinsmith,) he was arrested at an early hour in the morning, while going to his work. The Agent's explanation of the case was satisfactory to the Magistrate, who gave his discharge, and allowed him to return to his workshop again.

NUMBER 8:—Was the case of a young man who was committed to prison upon the charge of "Larceny and Embezzlement." He had been employed by the proprietor of an eating establishment on

Chestnut street, to sell sandwiches on commission. He failed to return the remainder of the articles that were unsold, and refused to give up the basket and money for what had been sold. His reason for acting in this way, was, as he said, his employer owed him a balance that was due him from former sales that he had made. His prosecutor denied owing him anything. He at once sued him, and imprisoned him upon the above charge. Inspector Howell drew the attention of your Agent to the case. The prosecutor and the Magistrate were seen, and the case was settled, and the prisoner was released in less than two hours after his imprisonment. This was accomplished by the Agent becoming bail for him to return the balance and the basket, and also pay the costs of prosecution, all of which were done by the prisoner, with the assistance of the Agent, who got the Magistrate and the prosecutor to make an abatement of three dollars (\$3 00) from the cost.

NUMBER 9 :—Was that of a woman who was imprisoned upon the charge of the larceny of five dollars. As she was abundantly able to prove her innocence, the Agent supplied her with Counsel, who explained her case to the District Attorney, which resulted in her immediate discharge from Prison, her case having been ignored.

NUMBER 10 :—Was that of an intelligent woman that was imprisoned, with her infant, upon the charge of assault and battery. The Agent procured a return of the case from the Alderman that had committed the prisoner, and saw that the prosecutor was summoned to appear before the Grand Jury. This he declined to do ; the prisoner was released by her case having been ignored.

Her husband, who was the prosecutor, was a drunken, worthless man, that had badly beaten his wife, then imprisoned her, to prevent her imprisoning him.

NUMBER 11 :—Was that of a small boy, who was imprisoned upon the charge of the larceny of five dollars, which sum he had taken from his father out of a closet, as his mother was dead, and as he was not cared for by his parent. The Agent saw that his case was returned and promptly acted upon by the Court, who sent for his father and made him promise to have the boy placed in

some institution where he would be cared for ; with this understanding the boy was released from Prison.

NUMBER 12 :—Was the case of a woman, who was committed to Prison upon the charge of "Adultery;" as there was no evidence of her being guilty, the Agent supplied her with Counsel, and saw that she was honorably acquitted of the charge by the Court and the jury.

It was a malicious prosecution on the part of her landlady, who instituted the suit against her for the purpose of compelling her to pay some arrearages of rent which she was unable to pay at that time.

NUMBER 13 :—Was that of a young man, who was committed to prison upon the charge of "Murder." His offence consisted in killing his sister by shooting her. As the Agent believed he was insane, he supplied him with Counsel in the person of S. Davis Page, esq., who obtained permission from the Court and the District Attorney to have his case tried to test his sanity previous to his being tried for the charge of murder.

It was proven satisfactorily to a jury and the Court that he was insane, and that he had inherited his insanity from his mother, who was an imbecile, and had been in the Insane Asylum for many years ; he had no quarrel with his sister ; she was a married woman, and had been kind to him, and provided him with a good home. The Agent saw that he was sent to the State Insane Asylum at Danville, by order of the Court, to be cared for.

NUMBER 14 :—Was the case of a young girl who had been convicted and sentenced to an imprisonment of six months, by Judge Allison, upon the charge of "Larceny," which consisted in taking a bonnet and shawl that belonged to her employer. At the request of Inspector Chandler and the Matron of the Prison, the Agent obtained a certificate from Dr. Smith, the physician of the Prison, who certified to the fact that she was dying of consumption, and in all probability would not live long enough to serve out her sentence. When the Agent informed Judge Allison of the state of the poor girl's health, and of the circumstance that all the things

she had taken had been restored to the prosecutor, and, as the Agent believed it would be a real charity to reconsider her sentence, and allow her to be taken charge of by her mother, who had a good home for her at her residence in the country, where she would have the benefit of fresh air and such attention as a person in her condition required ; after this much had been said, the Judge reconsidered her sentence. She was taken to her home in Trenton, New Jersey.

NUMBER 15 :—Was that of a man who was committed to prison upon the charge of “ Assault ” upon his employer. His insanity was occasioned by his mind having become very much exercised upon the subject of religion, by attending frequent revival meetings. The Agent supplied him with Counsel, and saw that satisfactory proof was given to the Court, and the District Attorney, of his insanity, after which he was sent, by order of the Court, to the Asylum for the Insane at Danville.

NUMBER 16 :—Was the case of a respectable young lady who was committed to prison upon the charge of “ Breach-of-the-Peace and Fighting.” The Agent obtained her release from Prison by having satisfied the Magistrate that she was entirely innocent of the charge of which she was accused. She got into the difficulty at a time when she was coming from her work, where she had been detained to a late hour of the night, in the making up of a dress that was wanted to be worn the next day at a funeral. When she was returning to her home she saw two men fighting. As she feared they would kill one another, she halloed murder, which resulted in bringing the police to the spot, who separated the combatants, and put an end to the fight. Notwithstanding she stated to the police that she was in no way connected with the case, she was arrested with the combatants, and committed to prison upon the same charge they were. Her genteel appearance and lady-like manners called forth the sympathy of Inspector Chandler and the Matron, who treated her with great kindness. The Agent went to the Magistrate and informed him of the mistake that had been made in her arrest and committal to prison. After this investigation had been made, the Agent obtained her discharge, and she

was permitted to return to her home, and take charge of her blind mother, who was depending upon her for support.

NUMBER 17:—Was the case of a young girl, who was committed to prison upon the charge of "Misdemeanor," which consisted in her having taken an overdose of laudanum, with a view of taking her own life. Her life was saved by her having received timely medical aid. The Agent procured her discharge from prison, with the understanding that she would be cared for, and sent to her parents at Bordentown, New Jersey.

NUMBER 18:—Was the case of a man who was committed to prison upon the charge of "Assault and Battery." His offence consisted in his throwing a knife at his sister, thereby endangering her life. For this, he was committed to stand his trial, after which it was proven, upon the testimony of Drs. Smith and Butcher, that the prisoner was insane. He was then sent, by order of Judge Ludlow, to the Danville Insane Asylum, to be cared for at the expense of the State.

NUMBER 19:—Were the cases of a mother and her daughter, who had been wrongfully imprisoned upon the charge of "Assault and Battery." It was a malicious prosecution for the purpose of defeating the ends of justice by the imprisonment of the women, to prevent them from appearing as witnesses against their prosecutor, who had been previously sued by the prisoners. The Agent obtained their release by becoming bail for them, and afforded them an opportunity to appear in Court and testify against their prosecutor.

NUMBER 20:—Was that of a feeble old woman, who was committed to prison upon the charge of the larceny of an article valued at ten cents. The Agent saw the District Attorney and obtained his consent to have the case ignored, and the prisoner discharged from prison.

NUMBER 21:—Was that of a respectable woman who was improperly imprisoned upon the charge of "Assault and Battery." The parties lived in the same house with the prosecutor, in differ-

ent apartments; they differed on the subject of religion. The prosecutor, with the hope of getting up a quarrel with the view of getting the prisoner in prison, threw a pan of water over her, and the prisoner then threw a bucket of water over the prosecutor. For this she was imprisoned. At the request of Inspector Chandler, the Agent interfered in her behalf, and saw the case was satisfactorily settled, by becoming bail for her to keep the peace for the future.

NUMBER 22 :—Were the cases of a family of four persons, consisting of a father, mother, daughter, and grandchild, that was but four years of age, all of whom were committed to prison upon the charge of "Common Scold." They were illegally and improperly committed. This was done by their landlord, for the purpose of dispossessing them of the premises that they occupied. As they were not in debt for rent, this method was resorted to to obtain possession of the premises in a summary way. The Agent supplied them with Counsel, had them brought before the Court on a writ of *habeas corpus*, and saw they were honorably acquitted of this unrighteous and unjust charge. They were respectable people.

NUMBER 23 :—Was that of a poor man, with a large family, who said he was in a starving condition at a time when he took ten tomatoes; for this offence he was committed to prison upon the charge of "Larceny." The articles were taken out of a garden where they were growing. Your Agent interested himself in his behalf, explained the hardship of his case, which was occasioned by his being out of employment at the time. After this much had been done, Judge Biddle gave him to understand that he might go, if he would not sin any more, and be honest for the future.

NUMBER 24 :—Was the case of a sick woman, who seemed to be in a dying condition. She had been committed to prison upon the charge of the larceny of two pairs of shoes, and some clothing, of but little value. The Agent procured a prompt return of her case to the District Attorney, and supplied her with Counsel that assisted her in showing to the Court and jury that she and her

children were in a starving condition, and that her necessities compelled her to take the articles to procure food for herself and children, as she was sick and unable to earn sufficient to get nourishment for herself and family.

She pleaded guilty ; the Judge declined to sentence her ; she was taken charge of by your Agent, who gave her sufficient money to meet her immediate wants, and then placed her in charge of a Court officer who took her to her home to be cared for ; the Agent took charge of her six children, and placed them in the hands of a responsible lady, who will see that they are cared for.

NUMBER 25:—Was that of a highly respectable young man, who was committed to prison upon the charge of "Forgery," which consisted in his deceiving his employer, who resided in New York. He had been employed to procure subscriptions for a popular work, for which he was to get a certain percentage for his services as agent. In this new calling, he was not successful ; he did not realize enough money from his exertions to pay his board bill at the hotel where he was stopping. With the hope of relieving himself from this dilemma, that he found himself in at the time, he was induced to send on to his employers several fictitious names of persons that had not subscribed ; upon these he secured his percentage and paid his board bill. He was a temperate, industrious young man, that was highly respectably connected, who had an aged mother and two sisters, each one of whom had married a clergyman, who were in charge of congregations in New England. Their husbands came to this City to your Agent with letters from the prisoner's sisters, the contents of these letters, and the intelligence displayed in them, showed that they were ladies of culture and refinement, as was discovered by the strong appeal that they made to your Agent to exert himself to the utmost to save their brother from conviction if possible ; they asked this for their aged mother's sake, as they felt assured his conviction would cause her death. Your Agent assured them that he would do all in his power to comply with their wishes. With the aid of Counsel, your Agent applied to the kind-hearted, generous, District Attorney, who investigated the case and examined the correspondence upon the

subject, with the help of his worthy Assistant, Mr. Reed, after which the case was ignored by the Grand Jury, and the prisoner released with the consent of the prosecutor, was given in writing; his indebtedness had been settled in a way that was not considered detrimental to justice, and was favorable to all parties concerned.

NUMBER 26:—Was that of an aged German woman, who was committed to prison upon the charge of "Misdemeanor," which consisted in her having been accused of administering laudanum to a young girl, with a view of having a felonious assault committed upon her. The Agent supplied the old lady with Counsel, who proved to the entire satisfaction of the jury, that the prisoner had only administered a Seidlitz powder and not laudanum.

It was shown that the whole case had been misrepresented, as was proven by more than a dozen witnesses who knew the old woman, and had a knowledge of the circumstances of the case. If it had not been for the interference of your Agent in this matter, the result would have been very different, in all probability she would have been convicted, instead of which being the case, she was honorably acquitted.

NUMBER 27:—Was the case of a woman who was committed to prison upon the charge of "Malicious Mischief," which consisted in her breaking a pane of glass. She was the mother of five children, her husband had neglected her and his family, and spent his time at the tavern, where he was harbored to the discomfiture of his wife by the proprietress of the establishment. The prisoner asked to see her husband, with the hope of inducing him to return to his home with her; this request being denied, she became excited, and broke a valuable glass, for which offence she pleaded guilty, and consented to pay for the damage she had done; as she had not the money to pay this, the Agent became bail for the payment of the indebtedness, which amounted to twenty-four dollars. The prisoner was at once released by the Court, and permitted to return to her family, after which she refunded the amount loaned by your Agent.

NUMBER 28:—Was that of a sailor who was committed to prison

upon the charge of interfering with the officer that had him under arrest, he did this at a time when he was intoxicated, and was not conscious of what he had done.

He was a stranger in our City, and as his vessel was about to leave this port, and he would have lost his baggage and his pay, the Agent interested himself in his behalf, and obtained his discharge, affording him an opportunity to reach his ship in time to retain his situation.

NUMBER 29 :—Was that of a young man who was tried and convicted upon the charge of "Assault and Battery," and sentenced to an imprisonment of three months, and was required to give bail to keep the peace for one year after having served out his sentence ; he found himself unable to give the required bail.

He would have had to remain in Prison one year, if it had not been from the fact that Judge Pierce took the Agent for bail, after which the prisoner signed the temperance pledge, and promised to refrain from the use of intoxicating liquors for the future.

NUMBER 30 :—Was the case of an interesting young girl, of about seventeen years of age, who had recently come to this City from the coal regions at Mauch Chunk, where her father had been employed, but who was at the present time out of employment. She, with the hope of relieving her father from the expense of supporting her, came to this City, and obtained a situation as a domestic ; she had not been in her situation long before she appropriated to herself a few articles of clothing of but little value. For this offence, she was committed to prison upon the charge of "Larceny."

The Agent supplied her with Counsel, and saw that her case was speedily disposed of, by her pleading guilty, after which she was taken charge of by your Agent, who took her to the Howard Home, with the consent of Judge Allison, who refrained from sentencing her. Her parents were pious people, who were members of the Methodist Church, her father being a class leader. Her genteel and prepossessing appearance indicated that she had been carefully and tenderly raised.

NUMBER 31 :—Was that of a respectable colored woman, that

had been tried and convicted upon the charge of "Larceny." The Agent interfered in her behalf, and brought the physicians of the Prison into Court, who testified that they believed she was insane. Upon this statement the Agent asked for a reconsideration of her case, in order that sufficient evidence might be brought before the Court and a Jury that would show that she was insane, and that it would be proven she was more a fit subject for an insane asylum than to be the inmate of a Prison. The application in her behalf was successful; her sentence was reconsidered, after which she was tried upon the subject of insanity, which was clearly shown, not only by the testimony of the Prison Physicians, but also by many respectable persons of the Church of which she was a member.

She had lived for many years, with her mother, in the family of a gentleman in this city, by whom they were very much respected. At the request of your Agent, the prisoner was sent to the Danville Insane Asylum, by order of Judge Yerkes, to be cared for at the expense of the State.

NUMBER 32:—This was a case of an industrious woman, who was the mother of four children, who were dependent upon her for their support. Her drunken husband quarreled with her, struck her in the face, blackened her eye, and otherwise injured her, with a view of compelling her to give him some money to get intoxicating liquor. She refused to comply with his unjust demand, and with a hope of saving himself from being prosecuted for his brutal treatment, he hastened to a Magistrate, and had his wife committed to prison upon the charge of "Breach-of-the-Peace and Fighting," an offence of which he himself was guilty, and for which offence he should have been committed instead of his wife.

When the Magistrate was informed of all these facts, the poor woman was at once released from prison, for which privilege she expressed her gratitude to your Agent for his timely interference in her behalf, which allowed her to return to her home to take charge of her helpless family.

NUMBER 33:—Was that of an old woman who was committed to prison upon the charge of the larceny of some meat, she said

she was suffering from want at the time she committed the offence. The Agent made her condition known to the Court, after which she was released from prison.

NUMBER 34 :—Was that of a young woman who was committed to prison upon the charge of "False Pretence," which offence consisted in her going to a Lodge of Odd Fellows of this City, where she succeeded in raising the sum of twelve dollars to pay the expenses of burying her brother, who had died in an adjoining State. As her father had been an Odd Fellow in good standing, she succeeded in getting the money she required ; at which time she succeeded in making a false impression upon the minds of the donors, who believed the money was given her to bury her brother in this State. The Agent saw the parties and explained her case in so satisfactory a manner as to have induced the parties that prosecuted her to go before the Grand Jury and have her case ignored, after which she was released, and further assistance given her by her prosecutors, that gave her sufficient means to take her to her friends in Washington. She was a prepossessing young girl, and rendered good service in cutting out and making up prisoners' clothing while she was in prison.

NUMBER 35 :—Was that of a poor German man, by the name of Charles Langenheimer, who was committed to prison upon the charge of "Breach-of-the-Peace," which offence consisted in his annoying Mayor Stokley at his residence, by repeatedly ringing his door bell. The Agent procured his release, gave him some money, and took him to the residence of his step-daughter, a young woman that had provided him with a comfortable home in her own family, where he will be cared for by herself and her husband, if he will only be honest for the future and keep out of prison.

He served out many terms of imprisonment in our Eastern Penitentiary, which circumstance is known to all, and he is the man that Charles Dickens wrote about thirty years ago, during his visit to this country.

AGENT FOR THE EASTERN PENITENTIARY.

The work of W. W. Walter, who acts as the Agent of this Society at the Eastern Penitentiary, is plain but onerous. It has not that diversity which distinguishes the duties of the Prison Agent, but it involves labour and heavy responsibilities. It is not the duty of the Penitentiary Agent to procure the release of prisoners; those under his cognizance are convict felons. They are not to be discharged until the expiration of the time for which they were sentenced. The Penitentiary Agent looks carefully to their physical condition, and to their future probabilities. He enforces the lessons given by the Committee under whom he acts, and understands exactly what will be the convicts' physical condition when they are to be discharged. He understands what they are anxious to do when they leave the prison, and if it shall appear that they do not mean to take up work where they left it, at their arrest, he seeks to make arrangements by which they shall not be driven to steal to obtain support, at least they shall not be placed in a situation by which they may plead absolute *want* as an excuse for absolute felony. We say *plead* it. We doubt very much whether any such necessity really exists; most people who commit felonies talk of such a necessity, but very few in this country find themselves in a situation from which a plain statement will not extricate them. Such people are usually less ashamed to steal than they are to confess poverty. Most of the convicts of the Eastern Penitentiary are convicted of larceny, the amount

stolen and the frequency often have much to do with the length of their sentence, but the Agent has nothing to do with amount nor with frequency. He will learn much of the character and views of the convict from the member of the Committee that has been seeking the improvement of the felon, and his own labours must be greatly directed by the remarks of the Committee. But his great business is to secure some employment for the retiring convict to aid him in reaching home, where welcome and work await; he must know all of the characteristics and the circumstances of the prisoner about to be discharged; and the end of his exertions must be in the direction which is pointed out by that knowledge.

The provision of clothes suited to the prisoner's condition, is that which requires the least thought. But it is work of much and deep thought to form plans for the future life of an ex-convict, and to understand how those plans may be best executed. The statement of the object of enquiry must be received with becoming hesitancy. What is to be done and where he is to go, and how he is to be best aided in doing and going, must exercise the judgment of the Agent, and if he is equal to his place, he will feel and appreciate its great responsibilities. We have reason to believe that the Penitentiary Agent of this Society has a full comprehension of the importance of his duties, and that his labours have been well directed.

We add his Report, which shows what was to be done and how he accomplished the work of his place.

It should be understood that the Agent for the

Penitentiary acts as a moral instructor for the convict, as well as Agent for the Committee.

REPORT OF AGENT OF EASTERN PENITENTIARY.

PHILADELPHIA, Dec. 14, 1878.

To the Editorial Board of the Philadelphia Society for Alleviating the Miseries of Public Prisons.

GENTLEMEN:—In compliance with your request, I would respectfully submit herewith the report of my labors among the discharged prisoners of the Eastern Penitentiary for the year ending December 12, 1878. The total number of prisoners discharged during the year was four hundred and thirty-six. Total number leaving the City immediately upon their discharge, was two hundred and sixty-six, and of those remaining in the City, there was one hundred and seventy. Of those leaving the City I accompanied sixty-nine to the various railroad depots, procured their tickets and saw them safely started on their way to home and friends. Those leaving the City whom I did not see off, advised me of their desire to leave the Penitentiary unattended, as they were sufficiently well acquainted with the City to care of themselves.

To the total number of prisoners discharged, I furnished fourteen hundred and seventy-one pieces of clothing, one hundred and thirty-one hats, and one hundred and forty-eight pairs of shoes, this latter including some few pairs which only required mending.

You will note that of the prisoners supplied with clothing only about twenty per cent. of their clothes were good for use and the balance had to be supplied by the Society.

The clothing furnished the prisoners, has been, I believe, always very satisfactory to them, as I never have any complaints to the con-

trary. In fact I endeavor in fitting them out to furnish such clothing as shall prove serviceable and neat in its design, always bearing in mind in purchasing the clothing, to procure the very best goods possible for the least money, and yet not giving anything that is ungainly, or that would not be a credit to the Society and considering always the advisability of using the greatest economy practicable in the use of the Society's funds for this purpose.

In my visitations among the prisoners I have endeavored, to the best of my abilities, to give them good Christian counsel as regards their future course of life ; and, from the many letters that I have received, and from personal observation, I am led to believe that the seed sown in weakness has not been in vain. I have also been the recipient of many letters from the discharged prisoners, expressive of their thanks and kindly feelings for attentions shown them in preparing them for their discharge, and also for looking after their interests afterwards by endeavoring to secure them situations and comfortable homes.

I also would have you note the fact that a considerable number find it very difficult to procure situations, owing to the continued depression of business affairs. Nevertheless, they generally appear hopeful, and express themselves freely as being averse to doing anything that should again result in their imprisonment.

Many of those whom I procured situations for, or sent to the country, are doing well, and are being prospered.

One case, of a prisoner in for forgery ; during his imprisonment his wife (who was respectably connected, but very delicate,) and also two children, had a hard struggle to live ; but, through benevolent societies and private sources, I saw that they were taken care of until her husband's release. When discharged, he was unable to at once procure a situation. Finally, a relative of his, living in Texas, wrote him to come down to his place and he would give him work and a home for himself and family ; he immediately went, (having secured free transportation,) and, after satisfying himself as to the desirability of the place, sent for his family. Being without the means to so procure transportation, I succeeded in raising the necessary funds, and had the satisfaction of sending them to their desired haven. He has since written me, expressing

his most grateful thanks for past generousities of kind friends, and also as being greatly pleased with his new home and friends, and also of his intentions of living a better and nobler life.

Another case, of a prisoner in for a similar offence as the preceding case, was pardoned after being imprisoned for seven years. Upon his release he went home to his family, in this City. His son, (as you may remember,) was soon afterward in trouble for having shot a young companion. The son was tried for the crime, but, through the influence of the Society, he was acquitted. The father being perfectly penniless, and desirous of going West, enough money was secured (through friends and by my personal solicitations,) to send the family to Kansas, and allow a little extra to commence life with. They went to Kansas, and the father expressed himself as being determined to lead a better life, and become a good citizen.

Numerous cases of a like nature could be cited, but time nor space will not permit.

I have been advised of late of a great hindrance to those remaining in the City, of obtaining or retaining situations, owing to the stigma that attaches to them as having been prisoners. One case of this kind was as follows: A discharged prisoner procured a situation, driving a cart, was doing well, but some one knowing him went to the employer and informed him of the man's past life—whereupon the poor fellow was immediately discharged without recourse. Again, through persistency, he procured another situation but was the second time discharged for the same reason. He then came to me for help and I assisted him, and he finally went to Pittsburgh, hoping there to find employment and avoid any similar occurrences. This is truly pitiful, where a man really means well, for any one not to give him a helping hand, and thus perhaps save his soul from ruin.

In several instances where money has been furnished for sending prisoners and their families away, a small percentage has come out of the funds of the Society.

In closing this Report I cannot refrain from adding a few lines as a tribute of love and respect for the late Thomas H. Powers, who from my own personal knowledge and contact, has been a no-

ble, unostentatious and untiring devotee to the great mass of suffering humanity, and especially with those whose misfortune it has been to become inmates of our Penitentiary. Of his love for the souls of men, and their worldly advancement, I can most assuredly attest.

I have in hundreds of instances, through his noble generosity, made many a prisoner's heart to rejoice, by furnishing the funds necessary to admit of their leaving the City to find homes in other places where their unfortunate record was not known.

Men who have proven their desire to reform, have been, out of his abundance, started in a small business. Homes have been furnished, additional fuel and clothing given, and all of this through my own hands, as it has been my great pleasure for the past twelve years to thus attend to the wants of many hundreds, and dispense the money to them which has been so generously and unselfishly furnished me by Mr. Powers for that purpose.

Of the cases above cited as having been sent out of the City, (and many others,) the bulk of the money necessary for this purpose has been furnished by him. Would that many more such true friends (to those who have been so unfortunate as to become inmates of our Penitentiary,) could be found. There surely would be fewer unfortunate men, as their minds could be properly enlightened, and their surroundings be made such as would not admit of their evil tendencies and desires ever attaining any decided growth. In the death of Mr. Powers, the prisoners have lost a noble friend, I have lost a true friend, and the community at large will also feel the loss acutely.

To those in charge of the prisoners at the Penitentiary, I would in this place express my grateful thanks for their many courtesies and helpfulness in my duties, and trusting that my labors have been satisfactory to the Society and all with whom I have been associated, I remain,

Very truly yours,

W. W. WALTER,
Agent.

VISITORS.

This Society, when assuming responsibility, is represented in the prison and often abroad by members of its "Acting Committee," whose business is to deal with the morals and manners of prisoners of both classes, (convict and untried) in the County Prison, and with convicts in the Penitentiary. There are special limits to the action of these visitors; they may advise, exhort and teach the prisoners, and they may assist the discharged when they leave; but all attempts to procure, or even encourage applications, for pardon of convicts, is absolutely prohibited by the rules of the Society to the visitors of the Society, for reasons that are very plain to those who understand the labours of the visitors and the character of the visited. The visitors are bound to use their efforts to make all their prison clients better, to make them good men, but are not permitted to exert themselves to make them free men.

The duties of the regular visitors are very important, that is, of those who are selected from the Society to visit the cells, and to seek by instruction and persuasion to alleviate the miseries of the prisoners by leading them away from false ideas of their own rights and duties, and to induce them to adopt resolves of virtue that may be put into practice when they shall have been discharged from prison.

The importance of these duties should be considered, and that consideration will lead to a further consideration of the importance of preparation for their discharge.

While the convict (justly convicted,) is entertaining, or wishing his visitors to entertain, an idea of his entire innocence; there can be little hope of inducing him to acknowledge the importance of reformation. While he thinks that he is as good as his visitor, (goodness having reference only to acts that lead to the prison,) so long will dehortation, exhortation and invitation be unavailing. Why should a man be expected to flee from that which he thinks right, or to accept an invitation to that which is no better than he has already.

The work of a visitor is to improve the impression which reflection and imprisonment have caused upon the prisoner, and to make him feel that it is his own wrong that produced the evil.

There should be a kindness in the visitor's manner which should emphatically express a sympathy in the suffering of the prisoner, but that sympathy should in no way create an idea of equality. The difference between the visitor and the visited is the difference between crime and innocence, between guilty violation of the rights of others, with a violation of the laws of the State, and an innocent observance of all the requirements of social and legislative provision. It is the man of pure life, of unimpaired integrity, going in the strength of virtue to deal with the invader of property and life, and to invite and encourage him to forsake a way that leads down to protracted imprisonment and perpetual infamy.

No prisoner should have his feelings outraged by a sudden and unkind detail of the offence that has brought him to the prison; that would be to place

him in a sort of antagonism with the visitor. That he is an offender, his own position shows ; that he needs gentle dealing, experience in visiting prisons shows. But the guilty convict should never be allowed to entertain an opinion that his act of felony does not stamp him a felon—nor that nothing is wanted to make him a good citizen but liberty—liberty that had been so grossly abused.

The visitor who shall attempt to lead a convict into professions of improvement by declaring that there is not much difference between the speaker and the hearer, and that we ought all to consider ourselves culprits, is degrading himself and abusing his trust. The preacher may indeed proclaim himself, as well as his audience, *sinner*s, deserving punishment—because sin is disobedience to the commands of God, and in that view we are all miserable offenders. But the visitor to the prison cell who places himself on a level with the convict may think that he is correct, but he is proving himself thereby a traitor to virtue, and is injuring the cause which he means to aid.

The visitor at the cell should stand on the dignity of virtue. The convicted occupant of the cell should not for a moment be allowed to think that sympathy with the criminal as a man, has obliterated the distinction between crime and innocence.

A character in Shakspeare says :—

“ For my own part, I like to learn of noble men.”

The poet was right. We all shrink from learning from inferiors, and least of all, is the felon likely to re-

ceive willingly and heartily, lessons of virtue from one that is esteemed no better than himself.

Let us beware of false humility—let us be careful not to underrate the faculties of the prisoner. Let us believe that we shall not be likely to induce the culprit to adopt a course which only places the teacher on a level with the pupil. If the visitor cannot invite the prisoner upward, let him not lead the offender to a satisfaction with himself and his pursuits.

The mission of a visitor of this Society to the prison cell is one full of possibility of good. It is a beautiful office to make an offender hate his offence. It is a beautiful office to induce the man convicted of crime to comprehend that he has not separated himself from the sympathies of the good. It is just and proper to make him understand that the love of society exists for him, whenever he can show by acts of repentance then he is again deserving that love. And it is a lovely office to try to make him worthy of that love. It is a glorious work to induce the prisoner to resolve on amendment, and then to show him how he may amend. It is a terrible thing for a free-born, active citizen to be thrust into a prison cell, but it is not always the best use of position to get him out of the cell, he ought to feel compunction for the crime as well as dislike for the punishment.

Regarding the mission of visitor to the Prison as one of vast importance, as involving one of the great works of this Society, we give more space to this branch of our subject, and especially in this notice of the manner in which that duty is to be discharged, than

is usual. We know, as others know, that a violation of the law of the State, almost equal to that which sends the culprit to the cell, operates to hinder the good work of our visitors, and it is a proof of their zeal for good works, their devotion to the office of "alleviating the miseries of prisons," that they continue to labour, while the impediment of crowded cells seems to forbid success. Yet we know that daily at the door of the cell are found members of the Visiting Committee; and, as those members are replaced from time to time, we have thought it best to refer directly to what a visitor has to do, and to express our idea as to the manner of doing that duty, and we have not forgotten that there may be errors from inexperience, which, when pointed out, may be profitably avoided.

If a visitor would be really and permanently useful to a prisoner, he must endeavor to secure the prisoner's confidence; he must manifest a real sympathy in, that is, a thorough regret for, the condition of his client. But, at the same time, he must not jeopard the respect which, to be useful, he must inspire in the prisoner. All the feelings of regret which the unhappy man has as the result of his trial in Court, the Visitor must seek to transfer from the result to the cause. The most debased convict laments the detection, the conviction, and the sentence of punishment which have marked his case. This feeling springs naturally as well in an innocent as in a guilty person, but, in a guilty person, the feeling is limited to the consequence, not the cause. The visitor, if he comprehends the manner in which his mission is to be discharged, will endeavor to show

the prisoner how necessarily dependent is his condition upon his conduct, and to lead him to understand that the bad conduct, however adopted, is the true cause of the condition, and that, with few exceptions, the cause will rarely fail of effects. When once the prisoner understands and admits, in his own case, the relation of cause and effect, it is only necessary that admonitions should be addressed in relation to that subject.

But the prisoner is usually a proud man ; he thinks that the very visitation carries with it so much of condescension that his feelings are aroused. Gentleness, delicacy and prudence are necessary on the part of the visitor to save the prisoner from that state of mind that hardens itself against dealings even of tenderness. And the visitor, by various modes, should make the prisoner understand that there is no feeling but of kindness in the visitor, and nothing intended by the monition but the expression of hearty, loving interest for the offending. And this is not to be accomplished in one visit. Patience, endurance and hope are required. And when the prisoner is satisfied that his wrong doing has not destroyed patience ; that the endurance of the visitor speaks of the hope entertained and communicated, he will soon see how his own future well-being is bound up in the good feeling of the visitor, and he will cherish every resolution for good which is suggested. The prisoner will not, he can not, conceal the feelings that lead to the resolution, and the visitor will soon see the budding and the flowers of what he has planted. There can be few

delights of so high a relish as those which are permitted to the cell-visitor to enjoy when he first discovers the effects of gentle dealings with his imprisoned client. These feelings are not vouchsafed to him who labours with the seeming good ; with those whose good name stands unsmirched by charge or suspicion. The prize derives its value in part from the difficulty with which it is obtained. To lead to goodness the man not suspected of wrong, is only to put a seal upon public sentiment. To recall to public esteem him whom the public has condemned, is to restore a light that had been quenched or withdrawn ; it is to authenticate, sign, seal and restore the deeds of a sequestered possession.

They who are labouring in the Prison and Penitentiary in furtherance of the views of this Society have, when successful, and they must be often successful, an imperishable treasure of joy for good received by others, and for a glorious illustration of the possibilities of the Society.

Those who have acquaintance with the character and condition of the inmates of the County Prison, will know that while by far the most numerous of them report themselves as inhabitants of Philadelphia, a very considerable number are found to belong to other Counties in this State, and towns and cities in other States. In releasing such persons from prison without assurance that they will leave Philadelphia, only occasion is supplied to repeat the offence that has already made them prisoners. In all promises there is supposed to be some conditions ; the law of our

State holds certain instruments involving engagements invalid, unless there is involved a consideration. And it is of little consequence what spirit suggested the obligation, unless there is certain *quid pro quo*; the *quid* may be small, but it must be assumed and recognized. The promise of the prisoner to do better and go away, or rather to go away and do better, is often founded on the valuable consideration, expressed or implied, that he shall be aided to go; that his visitor will assist him to do what it is known that he has not the means of doing. A single dollar to pay costs (given in currency or food) of going to another place, is as much to the prisoner as fifty dollars, if he has it not, and it is painful to believe, and yet it is not to be doubted, that many promising prisoners make a want of means of departing an excuse for those wrong acts which must almost necessarily follow their compelled residence about the City. The neglect to supply that small modicum is made an excuse for a crime which might not have been committed had that excuse not been supplied.

It is a part of the beautiful office of the visitors, to make practical their lesson of good conduct, by supplying means to avoid bad acts, and to confer with the Agent as to the policy of giving directly, or supplying through his medium.

While speaking of severity and recommending it in treatment of convicted felons, and especially in the treatment of those who by repeated convictions prove that the innate devotion to crime, manifested in the cases of former conviction, is by no means lessened,

but only opportunities are necessary to insure repetition of felonies, we are bound to say that there is a strong necessity of distinguishing between the acts that first make a man acquainted with the experience or fear of the severity of justice, and that which by being an habitual crime, leads the criminal to think only of the danger of detection, and not of the crime of committing the act. The Judge sometimes distinguishes in that manner, and the accused who has stolen a five dollar note gets a heavier punishment than he who has robbed some one of a thousand dollars, and this because the five dollars stolen may be only the representative of a thousand that accused desired to steal and the miserable results of an enterprise of crime that had included thousands, and the act itself a repeated repetition; while the prisoner who had stolen a thousand dollars might make it evident that sudden temptation had fallen in his way, and that his first possession of his badly attained money was marked by a twinge of conscience, which, but for false pride, would have insured a restoration of the stolen money to its owner. That opportunity presents itself to almost every thief, and the suggestion of conscience as to restoration of the illy acquired property, is almost always addressed and frequently felt and listened to, by the inexperienced wrong doer; but he is afraid of exposure or ashamed to acknowledge the crime, even if it be probable that the confession would secure forgiveness and prevent the chance of exposure. Our young people are like the Spartan lad who stole the fox; he would rather let the animal,

as he held him to his bosom, tear out his entrails, than to endure the shame of exposure. It is the detection and punishment of the act and not its crime that most of the offenders feel.

The punishment, however, may be a means leading to a reflection that will result in repentance, and towards that great end are to be the labours of visitors. We have already intimated that the work of the visitors is of a nature far more delicate than it is usually regarded, requiring self-discipline, care and judgment. The convict must be supposed to be a criminal, unless by some means his innocence should be known. The inmate of a cell, especially one whose present occupancy of the place is not for the first time, cannot complain if regarded as an offender, and to approach him as if he were innocent would be to provoke mere ridicule; and to talk to him as to one who knew not crime, would be to jeopard every chance of improving him. To attempt to treat the guilty convict as an innocent man, is to lead him to the inquiry:—"Why are *you* here?"

The crime for which the prisoner is suffering needs not be specified, he needs not be told that he has been a thief; but he must not be allowed to suppose for a moment that the visitor does not know that he has been a felon, and does not think that he may again commit crime. The visitor need not taunt him with intimation that he owes his suffering to his own obstinate misconduct, but he must beware of allowing a felon to believe that his felony was the violation of the law without any intention of wrong. It is the intention of wrong

that qualifies the act, and the visitor fails of the great end of his mission if he allows his client to believe that he fails of any quality of turpitude, which is an ingredient in the crime for which he is suffering. That sense of fault, the "*mea culpa*," is essential to his repentance, and that repentance is essential to his improvement.

There is one danger in the kind visitations of the visitor in his ministration to the cell occupant.

Almost every prisoner thinks, and most visitors, at first, seem to fall into the same idea, that to alleviate the miseries of a prison is only to secure the discharge of the prisoner. That as soon as the Court has established the criminality of the man means must be used to have him treated like an innocent person. As soon as he is sentenced he is to be pardoned.

The Society has been very explicit in its reference to that feeling of a visitor, it prohibits its representatives from meddling with the question of pardon. Experience teaches that where the intimation of pardon is made there hope of improvement ends; and the Society, therefore, as we have more than once already stated, has been compelled to make the abstinence from soliciting pardons a special injunction to its visitor.

But, says some new visitor and warm, kind-hearted man:—"It is such a delightful labour to keep alive hope in the prisoner." But that may be very delightful, without being very useful; and besides that, it is not the mission of the visitor.

But, says the over philanthropic man:—"It does

"seem such an injury to the man's natural right, to have him shut up away from Society."

Natural rights are often relinquished to secure social rights. And why are the rights of a single offending individual to be weighed against the rights of Society? The feelings and wishes of the prisoner are not of more consequence than are the feelings, quiet and safety of society.

It is false philanthropy to treat the convicted culprit as if he were innocent, and to break down the barrier between vice and virtue.

Let it be understood that in this chapter, as in some others in the Journal of this year, by the word "severity," in whatever relates to administration and visitation, we mean only strict justice, or as the dictionaries say, "STRICTNESS, rigid accuracy." This modification of the word diverts the sense, almost from hard justice to tender mercy, and with the visitors the latter should be the definition of the word and the illustration of its meaning. But justice is not in ordinary sense connected with the duty of the visitor. Mercy sends the visitor to the cell, and without at all neglecting the great fact that Justice has righteously sent its convict to the prison, that visitor may kindly, gently, alluringly make the prisoner more sensible of his crime by opening up to him the view which includes repentance, sound resolves and liberty. To do otherwise, would be to depart from the path of labour, and the tone and temper prescribed by the Society. The convict is a felon ; he has deserved his punishment ; reason and law suggest it. The convict is a human being ; he

has a right, founded on the professions of our Society, to kind ministrations, hopeful assurance. Social policy and sound philanthropy warrant all that.

WHAT IS TO FOLLOW IMPRISONMENT.

Something has been said of the action of our Society, and something of the individuals *upon* whom, and not a little of the individuals *by* whom, we act. Nor have we been unmindful of the manner by which we act. These are references most legitimate, and we hope what has been said will be approved. We have a word now to say to ourselves, and of ourselves, something which, as it regards our own proceedings, and the mode of acting, may explain our views of our mission, and of the condition of its objects.

The prisoner has the weight of a verdict upon him, and the sentence of the Judge, who tempers his judgment by the testimony of witnesses, and the opinion of the jury. And the prisoner comes to work out his sentence with the full knowledge that the fact of imprisonment is itself a cause of infamy, even among those who bear the same obloquy, provided they do not mean to increase their guilt when they shall have obtained their liberty. If the prisoner is as wickedly disposed, as his companions, of bad resolves, he will find a fellowship that will serve not only to lighten the burthen of confinement, but qualify him for superior acts of felony.

It cannot be doubted that there are some prisoners

in the felon cells whose incarceration has produced shame and thought, and that thought has led to good resolves for the future. But we may doubt whether the number in that class is large ; though the number is probably increased by the kind and steady interference of our visitors. We believe, we know, indeed, that the number *is* increased. We have seen the inceptive act, and we have marked the progressive effect, and we know that in the prisons, the work of the visitors of this Society is good—it is productive of good—it makes men resolve to do better. We know that in the language of the poet, many

“ Resolve and re-resolve, and die the same.”

To that we also can bear as certain testimony as to the adoption of good resolves by the prisoners.

Why then, if the visitor reach the conscience of the prisoner, and awaken regret, remorse, resolve, why is not the work completed—why does the guilty man die the same?

To a close observer, the cause is obvious. The answer easy. When the offender receives from the Judge the sentence which punishes for the crime declared by the jury, he is cut off from the sympathies of most of his former associates. His very relatives, disgraced by misconduct and punishment, are cooled, unless it be a wife or a sister, or a daughter, or most of all, a *mother*; they lingered around the Court House; they watch his incarceration; they seek a pardon or an amelioration of his sentence, and failing there, they

wait impatiently, but silently, the day when they may mingle their sympathy with his suffering, and lighten their own sorrow by seeking to diminish his.

And when the male connections are pursuing their occupations, and forgetting the sufferings of the man in the guilt of the convict, shame, outraged proprieties, stifle the feeling of propinquity, the women are nursing in their hearts the affection which has been insulted, and by its indulged power luring back the offender to the promise of goodness that shall again enrich the family circle.

But will those promises be fulfilled, the promises which punishment and affectionate dealing have extorted? Will the family circle, broken by crime, be restored by hearty repentance and good works? Not if the cause of that repentance ceases.

But there are others in prison cells, who have broken no family circle, they have been from childhood homeless and friendless. The circle of which they formed a part has no cement but crime, and yet they are human, and nothing that concerns their condition is alien to the plans of this Society.

This class is usually "given up to blindness of mind and hardness of heart," they are so low that social life does not seem to include their condition in its sympathy, and they are reckoned among the lost. And they are lost, and that better class mentioned above is lost irretrievably, unless the kind, self-sacrificing sympathy which followed them to their cell, follows them out of the cell, and keeps interest and eye upon them when they return to freedom.

In plain words, the labours of our visitors in the cell do indeed excite gratitude and afford pleasure to the prisoner while he is a prisoner, but when he is free from the rule of the prison he is most likely to fall again into bondage to old habits and bad companions, and plead in excuse, almost justification, that "he could not maintain himself honestly in the face of a conviction and imprisonment for crime, and he must live." His hard efforts to acquire the confidence of the good utterly failed; while the bad, his former associates in crime, hailed him back to freedom and devised means for living.

What then is wanting is a provision for the discharged convict, and a philanthropic spirit to procure some of that aid, and to assist the offender in deserving it. We need a sympathy for the greatly degraded, the untried who has not been instructed to avoid his wretchedness or its cause. Our prison visitors, if they had means, would meet that want. They see the evil, and would willingly alleviate it. This class exists here and elsewhere, and while much is done for those who fall in better situations and less temptation, we are called upon to—

" Mark the wretch whose wanderings never knew,
The world's regard that soothes, though half untrue,
Whose erring heart the lash of sorrow bore,
But found not pity when it erred no more.

" Yon friendless man at whose dejected eye,
The unfeeling proud one looks, but passes by;
Condemned in penury's barren path to roam,
Scorned by the world and left without a home."

May we not hope that exertions to raise a fund to aid the discharged will produce success. The great author of Christianity, when he had ceased his lesson to the multitude, directed means for their comfort, lest they should hunger on the way.

CENTRAL PENITENTIARY.

The Legislature of this State has authorized the erection of a third penitentiary, to be located within the central Counties, and as we have an Eastern and a Western Penitentiary, this new establishment will probably be known as the Central Penitentiary. The name is of little consequence, though even a penitentiary may have a bad name. And it is certain that if an inappropriate name be bestowed, even upon a penitentiary, popular feeling and popular sense will contrive a name to suit the character of the institution or the appearance of the building.

When New York grew too large for the city prison in her centre, known as the "Collect," she razed the building, and on its site, a little enlarged, placed an imposing structure. The handsome new building seemed to create a desire for a name that would designate its use, and genus; learning and civic pride were employed to coin or produce an appropriate name. Many were proposed, some classical, some borrowed from modern appellations, but finally the title was fixed "*Temple of Justice*."

The name of the former prison was borrowed from

the French, why should not the new prison be equally honored. And so an exceedingly pleasant and learned gentleman, omitting all Greek and Latin terms, proposed and defended this translation from the French. Not entirely inapplicable, because the Court as well as the Prison was within the walls. The boys said that "Temple of Justice" was too long a name, and noticing that the whole structure resembled more a collection of sepulchres than a prison, they called the place "The Tombs," and by that popular title, it has ever since been known. So that going to prison in New York is much softened by the paraphrase of "going to the Tombs."

The commission appointed to select a site for the Central Penitentiary has also the duty assigned to it of fixing the plan and erecting the structure. Almost any County mentioned as forming a part of the central penal district of the State of Pennsylvania, could furnish a site for the proposed building. But there are requirements for a prison, the ability to supply which must be a *sine qua non* to the selection of the place upon which to erect a penitentiary.

Low grounds may present prettier scenery, and, perhaps, greater fertility. But high grounds, while they please the eye, are certainly more likely to be healthful. High lands, or falling lands, are necessary to a proper drainage; one of the most important considerations in erecting a penitentiary.

Drainage must be ensured.

The next consideration is an abundant supply of good, running water. Persons not acquainted with

prison economy would be astonished at hearing the amount of good, fresh, potable water that is required in a large prison. The laundry needs a large supply; the bath-room requires a great amount of fresh water. Good water must be constantly flowing through the pipes that run through every cell. And there are so many uses for the pure element that it may be enough to say that a very large current of water is requisite for supplying all the legitimate demands of a penitentiary.

It is understood that the form of the cells of the Central Penitentiary is to correspond with those of the Eastern Penitentiary. Each prisoner shall have a cell, as those on the ground-floor of the Eastern Penitentiary are formed, neat and appropriate.

Though it does not appear that entirely separate confinement is ensured by the provision of the laws authorizing the erection of the Penitentiary, yet selecting the cells of the Eastern Penitentiary as models for the new building, and as those cells were constructed for one tenant only, it may be presumed that the "Pennsylvania System" is provided for in the authority and instruction given for building the Central Penitentiary.

As the structure is to be of only one story it is evident that it will occupy more space than does the County Prison, and this denotes a necessity for extensive grounds. The Commissioners, as we have said, will adopt a place that includes one storied buildings. A plan vastly superior to that of having two and three, and even, as is not uncommon abroad, four

series of cells. The plan of one story buildings is not adopted in cities, not because it would not be better than the other, but because of the cost of ground in and around cities.

Heating the prison is a work of necessity and usually of great cost. It is probable that steam pipes will be used to convey the heat through the corridors and into the cells. This will remove a great evil, that of large heating pipes, which are used by prisoners for transmission of conversation, and which often produce serious illness to those whose mouths at the valve inhale a large quantity of deadly gas.

It is said that the top or side of a hill presents some objections as a prison site, *viz.*, the inconvenience of conveying thither the heavy building material, and in addition to that difficulty another objection is mentioned to high ground, *viz.*, the difficulty of obtaining there or conveying thither the considerable amount of water which is required in an institution holding so many inhabitants as are likely to find board and lodging in a penitentiary.

In the commission appointed to select a site for the Central Penitentiary, and to erect the building, are gentlemen acquainted with the management of prisons, who understand what is requisite for the objects of retaining the convict, of securing legal punishment, supplying the many wants of the tenant of the cell, and providing for his moral improvement. We may therefore look for the selection of grounds that shall supply the various wants to which we have alluded.

We have mentioned two necessities—we do not say

wants—but absolute necessities of a State prison. These are an abundant supply of good water and a perfect drainage. Low grounds may easily admit of the first, but they almost preclude the latter. High grounds then are important and requisite. Potable water, for all the uses of the penitentiary, may by machinery be forced up hill to the prison, but no machinery will serve to force the filthy drainage from a large penitentiary up a hill, or ensure its entire passage along a level plain. There must then be high ground, and a continued slope that the drainage may be perfect. Water can be brought by an aqueduct or forced up by hydraulic pressure. We suppose, notwithstanding the absence of direct legislation, that the Central Penitentiary—the cells being constructed on the plan of those of the Eastern Penitentiary—will be considered a separate confinement prison, and therefore we insist upon such a disposition of the apparatus for heating the cells as will prevent the destruction of order of the prison, and of the lungs of the prisoners, by talking through the heating pipes charged with deleterious gas.

The movement by the Legislature of this Commonwealth on the great question of prison punishment, by authorizing the selection of ground and the erection of a structure for a Central Penitentiary, is certainly a step in the right direction. We must conduct towards perfection the plans we have formed, and thus make room and time for calculation of other plans, all looking towards the great end of preventing or punishing crime, and reforming the criminal. We have in another

er paper in this Journal given our view of the site proper for the proposed City Penitentiary, and of the plans and construction of the same, that it may conform to the system upon which it is to be administered. The completion of the Central Penitentiary, and the occupation of its cells, will be the signal for the commencement of a work, which if rightly constructed and systematically administered, will have the capabilities of being of more consequence than all the prisons and penitentiaries in the State of Pennsylvania, as much as extensively operating prevention is superior to a means of punishment of crime, and yet in this case the penitentiary necessarily precedes the prevention. We need places to contain and retain the flagrant offenders. We need a prison wherein to place the accused for trial, and we need a penitentiary in which these men, convicted of violating the law, may be punished by separate confinement and amended by moral suasion. As long as crimes are committed, so long Society demands the seclusion of the convicted criminal for public safety and private improvement, and therefore a jail and a penitentiary are necessary appliances to social combination. Without them private revenge would take the place of public justice, and the dignity of the law would be sacrificed to the unbridled caprice of individual vengeance. No people have ever lived in regulated social compact without a jail or some appliance which rather denoted an indifference to forms that sinks into cruelty. The temporary whipping post, the unguarded cavern, the extraordinary use of tar and feathers, or the rope and the branch of the living tree

were means by which unsettled society gave expression to the detestation of a particular crime, without awaiting an investigation that might have shown the object of social outrage totally unconnected with the act or crime for which he was made to suffer.

Prisons and penitentiaries are evidences of social advance. They mark a period when respect for the rights of the criminal is developed, and when a more general knowledge of his guilt gives no authority for the exercise of deserved punishment. There must be a judicial establishment of what was socially known. Prisons then, and penitentiaries, with all the repulsiveness of a darkened cell and separation from social intercourse, and the limited and prescribed condition of entire incarceration, form one great step in securing society from the violence and depredations of the wicked. It is a step, however, which has been made most important by regulation and such ameliorating circumstances as the intervention of the philanthropic has introduced in the administration. But as crime is the ripening of vice ; as disorder and violence are the consequence in age of the deficiency of restraint in youth ; as the indulgence of bad passions is usually the fruit of unrestrained temper in youth ; and the strong thirst for, and indulgence of, revenge are the results of unthinking and unrestrained rashness, so a place of restraint is the means of public safety.

To all who feel that there are for the most guilty convicts some rights that ought to be respected, it must be a cause of felicitation that the Eastern and Western Penitentiaries of this State are to be relieved

from that most injurious association which marks imprisonment in either of those institutions. And every friend of the separate system will especially rejoice that the unlawful as well as cruel congregation of offenders of different class and different degrees of crime, of different moral and religious views, is to give place to the true, legitimate aim, and we hope to furnish separate confinement, ensuring the real personal treatment of men convicted of crime and sentenced to prison.

We are not allowed to doubt of the early erection of the Central Penitentiary, and of its dedication to the cellular system. Society needs it. The Legislature has authorized it, and the Governor has appointed a Board of Commissioners to select a site, decide upon the shape and size of the building, and adapt the cells to the use of the prisoners.

The only fear now is that the number of prisoners at the Eastern and Western Penitentiaries to be transferred to the new Central Penitentiary, as coming from the Counties that constitute the Central district, will be so great that there will be an insufficiency of cells to accommodate those transferred thither, and those that are to be originally condemned thereto.

Crime increases, or detection and conviction increase, and the means of punishment in a legitimate manner should keep pace with the cause of punishment. And if the sentenced should at any time exceed the cells of the prison in number, it would be, as seems to us, no arrogance of authority to refuse them admittance. Their presence destroys the operation of the system, and interferes with the kind of administration

contemplated by the law that authorized separate confinement and directed the Central Penitentiary to be erected on a plan to carry out the separate system.

After the remarks upon the plans of a Central Penitentiary were prepared, it became known that the Commission had secured a site in Huntingdon County, which seems to make certain a proper one ; a dry soil, ample space, perfect drainage, an abundance of pure water, and all these on terms that shew in the people of Huntingdon a proper appreciation of a market for a large amount of the produce of the fields of the County, and perhaps some business for those who would assist in the prescribed works of the place ; and no doubt there will be readily answered by the moral citizens of the neighborhood a demand for visitations of the prisoners by persons who shall not be connected with the discipline of the place.

CITY PENITENTIARY.

After referring with some distinctness to what the State proposes, and is likely to do, by way of enlarging her prison capacity, and of dealing with convicts according to law, we will make a short reference to the situation in which the City is placed in regard to persons convicted of felony and of misdemeanor, and sentenced to Philadelphia Prisons.

We need not repeat what we have so often said, and what almost every Grand Jury for this County has pre-

sented as an evil, *viz.*, that the cells of the County Prison are unlawfully crowded with convicts on the male side.

The cry against this evil, this monstrous violation of the law, draws the attention of City authorities; and the proposition to enlarge the present Prison by extending it over the adjoining ground, not occupied for any important purpose, was entertained, and for a time it appeared as if the space referred to would be occupied by an extension of the Moyamensing Prison to the amount of nearly four hundred cells.

This proposition, however, encountered an unexpected hostility; persons in the lower part of the City denounced the Prison as an injury to their property, and, instead of admitting the propriety of extending the walls and buildings, it was earnestly contended that the whole ought to be razed, and the lot occupied by buildings for business or residences.

As it is not our business to take part in the discussion of the question as it regards enlargement, we do not refer to the motives that are assigned for the hostility to the extension of the Prison. It seems, however, to be pretty generally considered that there must be a Prison in the City so near the Court House that prisoners awaiting a further hearing, or having been finally committed, await trial, may readily reach the Court House and as readily be returned to the Prison until their cases are reached and disposed of.

Such a hold has the idea of refusing any extension of the Prison, that, although Grand Juries present the present condition as an evil to be corrected only by

extension, yet we hear nothing definite of any efforts to extend the walls and multiply the cells.

But the crowded state of "convict block " and the "untried cells," appeals for interference, and, some time since, the City Councils devolved upon the Board of Inspectors of the Prison the duty of examining the extensive grounds of the "House of Correction," at Holmesburg, and reporting the adaptability of any part to the purpose of a large prison with department wants.

The Committee undertook the work assigned, and with the Directors of the House of Correction examined the ground, and were fortunate enough to agree entirely among the members of two committees as to the remarkable adaptability of part of the ground. The lot was large, capable of perfect drainage, accessible by the Trenton Railroad and the Turnpike. Water, though the lot was close by Pennypack Creek, must be supplied from some of the City reservoirs. The water of the Creek, and that of the river near the mouth of the Creek, being too impure for use. But the House of Correction must soon have some additional supply of water, and, as that institution is on the same lot as the ground selected by the Committee, the same means, a little enlarged, that served one institution, would supply both. And gas is manufactured at the House of Correction, and the amount may be easily increased for the prison purposes.

The idea of building a City prison on the House of Correction lot did not include the removal of all the

inmates of the Moyamensing Prison to a building to be erected at Holmesburg.

The untried must, as we have said, be near the Courts. Then the Moyamensing Prison might be devoted to vagrants and the untried, who are sometimes sufficiently numerous to occupy all the cells in a legal manner; and perhaps also for the detention of female prisoners.

The prison then to be built on the House of Correction grounds should be used as a "*City Penitentiary*," into which none but those who have been tried and sentenced by the Courts shall be admitted.

It would, perhaps, be a good arrangement to have the City Penitentiary occupied exclusively by males, as the Female Department of the Moyamensing Prison is isolated, and has at present nearly two cells for every prisoner, and thus much inconvenience would be avoided.

The proposition for a prison near Holmesburg really came from the City Councils. The report on the sufficient capabilities of the lot and all requisites, was laid before Councils nearly two years since, but for some reason or other it has received no definite action. We may suppose that the diversity of opinion upon the question of removing the prison entirely, or extending it, may have caused some delay, but it is more likely that the feelings of Councilmen, themselves taxpayers, and the representatives of taxpayers, have, in view of the peculiar situation of City finances, caused and justified delay.

PENITENTIARY CONGRESS.

The International Penitentiary Congress, for which much preparation had been made, was held in Stockholm, (Sweden) in August, and had for its President the Prime Minister of Sweden, and there were two hundred and ninety-six members present, all of whom had much knowledge of the interests upon which they were acting. A letter from Stockholm speaks of the business generally, but does not mention the decision of the Congress.

It appears that the Congress was regarded with special interest and favour. The King came from his other Capital in Norway, hundreds of miles, to do honor to the Assembly, and personally attended one of its sessions. He eloquently expressed his sympathy with its objects, and entertained all the members with a magnificent banquet. The Governor of province of Upland planned and executed an excursion for the Congress to the old and renowned City of Upsala. The municipality of Stockholm gave a splendid banquet, and the Swedish Delegates gave two; dinners, and soirees were continual. "Indeed," says our letter, "banqueting was made, by our generous "and princely host, the order of the night, as work "was, by the will of the Congress, the order of the "day."

The writer says, "by the dignity of proceeding and "the eminent ability of its debates and papers, it may "claim to have stood squarely abreast of any Senate "in the world."

The information relates only to the night proceedings of the Congress. It will take some time and much labour to arrange translations and print the day proceedings of what seems to have been one of the most distinguished of all the Penitentiary Congresses.

The Society, after learning that unavoidable circumstances would prevent from attendance at this Congress one of its officers, already commissioned by the Governor of the State, invited the Hon. D. J. Morrell, who was about to visit Europe on public business, to act as its representative at the Stockholm Congress, which, though at a late day, he kindly promised to do, provided the special object of his mission did not prevent.

Mr. Morrell tried to reach Stockholm, but at Berlin events occurred which prevented him from gratifying his own wishes and the desire of this Society. Finding it impossible to proceed further, Mr. Morrell addressed the following letter :—

To the President of the International Prison Congress at Stockholm.

KAISERHOF, BERLIN, GERMANY,

August 18, 1878.

MY DEAR SIR :—

“ As the commissioned representative of the State of Pennsylvania, and of the ‘ Prison Reform Society of the City of Philadelphia,’ to the International Prison Congress, about to assemble in Stockholm, I write to express my regret that I am prevented from attending your meetings. It was my purpose to be with you on the 20th inst., and represent, in person, the Commonwealth and the Prison Society, whose commissions I have the honor to hold, but circumstances beyond my control, compel me to forego that pleasant duty.

“ The grand principle of separating criminals in order to reform them, which underlies our Pennsylvania system, has been so ably presented at former Congresses, by the venerable representative of the ‘ Philadelphia Prison Reform Society,’ the Hon. Joseph R. Chandler, that I could scarcely hope to do more than to assure you that time and experience are justifying our best expectations from the separate system.

“ Like all other forms or systems of government, very much depends upon the fidelity and wisdom with which the discipline is enforced.

“ By this system prisoners are encouraged to good conduct, and to work for their own gain ; and there are instances where a prisoner has accumulated as much as \$500, which has been paid to him at the expiration of his term. The Prison is regularly visited by humane and intelligent persons, who converse with the convicts, and learn, if possible, their weak and strong points, and take measures to encourage habits of industry, sobriety and self-respect, so that when they return to the world, they have the means and the motives for useful lives, and are not weighted down with the evil consequences of criminal associations while in confinement.

“ There are of course, some incurable cases, where kindness fails, and these are made to feel the severity of the system, which punishes, where it cannot reform.

“ I enclose a slip cut from the Philadelphia ‘ *Ledger*,’ of August 2, 1878, which gives a sketch of the Pennsylvania Prison—its origin, history and growth, which will be found of interest to those seeking information upon the subject of prisons and prison discipline.

“ Again expressing my regret that I cannot participate in your deliberations, I remain with very great respect,

Yours truly,

D. J. MORRELL.”

While the Society have to thank Mr. Morrell for his excellent intention, and regret that the request for his

services was made at so late a day as to give to other of his engagements priority—they feel that the earnest zeal of the gentleman for whatever he undertakes would have ensured to the cause of good prison discipline an able advocate, and to this Society the honour of a distinguished representative.

In closing the labours of the Stockholm Congress, the body confided the task of drawing up a regular and extended report of its proceeding to Dr. Guillaume of Switzerland; a gentleman well known in the circle of Penologists. He is rather the editor-in-chief of the work, but will probably have the labour chiefly on his own shoulders though referring to his colleagues on the editorial board.

We can scarcely hope to receive a printed copy of this report before our own Journal must go to press. But we learn from a sketch of the proceedings of the Congress prepared by its honorary president for a Social Congress in England, some of the measures formulated by the Stockholm Congress. We subjoin a report by one section of the Congress on disciplinary punishment in penitentiaries.

- 1.—Admonition.
- 2.—The partial or absolute privation of the reward accorded.
- 3.—A more strict imprisonment, *e. g.*, by darkening the cell; by depriving of permission to read or to work.
- 4.—A reduction of rations of each day, conjointly with the privation of work. .
- 5.—In cases of grave violence, and of fury on the

part of the convict, the strait-jacket or some similar agency may be used.

From the reports of other "sections" to the Congress, we noticed as approved other recommendations such as follow :—

The Congress is of opinion that aid should be given to such liberated prisoners as during their imprisonment shall have given proof of reformation, attested by the penitentiary administration, or by visitors delegated by aid societies.

The Congress thinks it desirable that distinct societies should be organized for liberated females, and that their management be confided, as far as possible, to persons of their own sex.

In noticing the care of children under penal discipline, it is recommended that children of different religions be as far as possible placed in different establishments.

With regard to relapses, it is said :—"The most effectual means of combating relapses are a reformatory, prison discipline, conditional liberation, and a less frequent use of short punishments for habitual criminals."

Congress further recommends that penalties be increased on repetition of conviction. Congress thinks that Prison Societies, Houses of Industry, Agricultural Colonies are promotive of great good. Congress is emphatic in its approval of societies to aid discharged prisoners. The Congress favors the principle of "conditional" liberation.

Where the cellular system is in vogue it desires its

application in principle, without distinction of race, social condition, or sex, but makes reserve in the details in specific cases.

So far as we can gather from the abstract from which we have drawn, the Stockholm Congress favours longer punishment for habitual criminals, cumulative sentences for repeated transgressions, and generally, we think, a merciful but stern application of the law.

The general report of the proceedings of the Congress will be read with great interest by all who give attention to the subject of prison discipline.

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THE NEXT PENITENTIARY CONGRESS.

It is understood that the next International Penitentiary Congress will be held in the City of Rome, in the year 1880. There are many circumstances favouring the idea that the Congress will be very largely attended. In the year 1880 Italy will hold a grand "International Exhibition;" that will naturally call to that most interesting city immense numbers from various parts of the world, and many who attend from interest in such exhibitions, may easily unite with that purpose the other important end of representing their country or locality in the Penal Congress. Rome has high claims upon the penologist, as the seat of the first great public efforts to lead the guilty boy into useful manhood. Italy has, since her unification, given more well directed attention to the National establishment and direction of prisons than any other nation, and her

system of economy is unique and practical. The whole peninsula is one great system. Every prison officer in Calabria or Sicily is as liable to be called up to Venezia or Genoa as he is to be transferred from ward to ward in his own prison ; and when transferred he will find the same rules, restrictions and liberties, as at Palermo or Brindisi.

The exact treatment of the prisoner varies somewhat in different Provinces, but the system will soon be so completed that the treatment of convicts will be as much under regulation as is the general plan of prison government in the Kingdom.

When the government of the prisons throughout the Kingdom or State is uniform and fixed, it will not be difficult to bring into perfect harmony the administration of every prison.

CRIME CAUSE.

It was once said in this Journal, by one who has left the uncertainties of this life for the reality of another world, that "*Poverty is the parent of crime.*" In some degree and in many instances that saying is eminently true. Solomon, in asking to be delivered from temptation to evil, says:—"Give me neither poverty nor riches, lest I be poor and steal, and take the name of my God in vain." Now here were two Commandments that he was in danger of breaking if he was to be in poverty, but there was also a danger ahead of the

possession of riches :—"Lest I be full and deny Thee, and say, who is the Lord?"

If poverty is the parent of crime then, according to the Bible, wealth is the parent of a greater crime. The poor man violates two Commandments, and thus becomes a criminal. The rich man sets at naught all of the Commandments, and challenges the existence of a God or defies His power.

It is not a part of our duty to decide on dogmatics or to explain the Holy Scriptures. The sentiment which we are noticing, of poverty being the parent of crime, admits perhaps of some explanation. It is most true that a very large proportion of persons convicted of crime are poor, and they will tell you that their poverty was the parent of the crime of which they were convicted, and for which they are undergoing punishment; that they were induced to steal because they lacked food or clothing, and had no means of supply; that wife and children were in want, and being too poor to gratify these natural wants, they had borrowed without permission what they thought necessary to answer the demands of a famished home, and thus set forth, their act seems almost unavoidable; they were poor, and that poverty led them to steal. That is not all; that poverty caused them to associate with men of low condition of mind and intercourse; men whose conduct provoked anger, and whose example induced hard language, and so being poor, they took "the name of the Lord their God in vain."

So far their poverty seems to have been the parent of crime; but crime, like other matter, has an ancestry.

The crime to which we refer may have been the result of a poverty which had a parentage so distinct that it may be traced back with some definiteness to another ancestry.

How came that man poor? Whence came the poverty that is seemingly assigned as a cause of crime?

Of all the tenants of the cell we scarcely find one that has not wasted a patrimony; or, what is worse, wasted good opportunities of obtaining wealth; devoted the time that should be reserved for the cultivation and the labour of business to dissipation, to rioting, and the neglect of business. When the patrimony or early gains failed, he ceased to keep company with former associates, and sank into the ranks of poverty; with the bad tastes he had cultivated and gratified, and the miserable habits he had acquired when among the rich, such a person in taking rank among the poor is not reckoned among the virtuous of his rank; his habits, his examples, and their influence upon his children, do increase the ranks of crime, but crime was the parent, not the child of poverty. Poverty may of itself promote crime sometimes, but crime is the parent of that poverty that ensures the larceny and blasphemy of the poor, and perpetuates the Atheism of the rich. In the last number of this Journal the neglect of children was particularly mentioned as a most prolific parent of crime, (itself a crime,) and the population of the prison cells.

We might write an essay upon crime cause in our City and indeed in the country. The cause is operating most productively. We will not now refer to the vio-

lations of the law of which men possessing wealth have shown themselves capable. But it is not to be doubted that our age has been marked by more instances of profligacy, by dishonesty, by knavery, in attempts to acquire wealth. The cause is apparent. It is the utter neglect of moral discipline. The unrestrained desire to become suddenly rich; the gross misapprehension of the nature of means; or, worse than that, the culpable indifference as to the means. We need not write a homily on this subject. The examples of wrong are so numerous as to render it difficult to avoid noticing them. "It seems strange," many people say, "that with such exposures as have been made of embezzlement the crime should continue"—perhaps the exposure has greatly lessened crimes for the future—but in most instances of development it will be found that the last discovered offence was contemporary with one long since exposed, accident or shrewdness delayed the discovery—some indeed were warned—but they could not relinquish the fraud without certain exposure.

Young men who did not in youth acquire a trade as a means of support, have often abused a trust to which they had not been reared, and thus giving of themselves an example of crime cause.

Our object in this short chapter was to answer the often repeated remark that "poverty is the mother of crime." We have shown that poverty is a result of crime—that the poverty which is too often found where crime exists, is itself a legitimate descendant of crime.

While physical, practical, charity is found lessening the evils of poverty, it is destroying the fruit of crime and making virtue more beloved by the spirit which is exhibited in the act and the spirit which is awakened in the receiver.

CRIME PROMOTING CRIME.

We have from time to time referred to some of the particular causes of crime. Among those causes were found neglect of parental duties, an indifference to acts of children, who not being early instructed in the nature of acts, grow up in practises which soon become felony. It seems admitted that the crying evil of the present day is that of falsehood, which soon ripens into perjury. Men do wrong for profit and lie to conceal the act, without thinking that an enforced charge of felony against them would be repelled by an oath.

Take cases in which some personal advantage is to be secured, and only small general disadvantage caused. For example :—Persons visiting Europe from this country often return with considerable amount of clothing, jewelry and paintings, purchased abroad ; these persons know very well that the laws of the country levy an import duty upon all such articles arriving from abroad ; yet constant efforts are made, and usually successfully made, to procure the landing of these articles without the payment of duties. The question is often put :—“ Are there any dutiable articles

in the trunk?" and the answer is usually "no;" and there can be little doubt that in some instances that denial would be strengthened by an oath. Certain it is that means are taken to procure the admission of the articles, evading the known provisions of the law.

The pleas that "all are for myself or my family"—or that "I only do what others do," seem to settle the latent movement of conscience, and so cases are forgotten by the actors till the next visit abroad. We say nothing of the conscience of the revenue officer who in finding a few gold pieces in his hand, feels easy as it regards his duty. This mode of violating the laws of the land by a bold and shocking violation of the laws of God, is too common to need explanation; is too common indeed to have its atrocity readily acknowledged. It is perhaps less practised to-day than it was years ago, not because the conscience has acquired delicacy but simply because fear of exposure has rendered people less willing to risk the consequences.

Neglect of Custom House requirements has of late been visited upon offenders with some heavy mulcting, and that followed by the penalty of imprisonment. This is then an offence which leads to the prison, and therefore legitimately claims the consideration of a society organized to alleviate the miseries of prison—especially when one of the chief of those miseries is imprisonment. Lessen the number of prisoners, and the amount of miseries of prisons will be diminished. Reference has been had only to the offence of violating the revenue law through a sworn assertion of a falsehood. That, as has been intimated, is one of the uses

of false swearing, which seems to be most venial—practised, it is said, by many who would start at the imputation of a dishonorable act, and be outraged at a charge of an oath sustained falsehood.

Falsehood seems to be the natural attendant on criminal acts, and those who find their way to prison seem to be imbued with if not a love for, at least a reckless use of, lying, which at almost any time may be exalted into the seat of crime by ready perjury. It cannot have escaped the notice, nor failed to excite the regret of people generally, that the oath with which careless persons emphasize a simple assertion is almost as readily applied to a solemn asseveration in a Court of justice, and too often with as little regard to the importance of the statement, or of the view in which the law regards the character of an oath.

Falsehood, the parent of perjury, is a growing evil ; it is one of those promotives of crime and imprisonment that demand the attention of those who would alleviate the amount of prison miseries by lessening the number of prison inmates. But how are we to get at a perjury ? It is answered :—Punish it with severity. May it not be prevented ? Certainly—it may be presumed few men commit perjury that are not given to falsehood ; and then the prevention is applied by enforcing truth by precept and example in the young. But it is said, and perhaps with much truth, that the false testimony which amounts to perjury is sometimes induced by a sudden and unlooked for state of a case, and that an equally sudden impression is received that a single aye or no will settle the

inquiry. Perhaps cases of that kind occur, and the suddenness of the occasion may be pleaded as an excuse for the act, but not as a justification ; beside, if the truth was known, it would have at the moment struggled for utterance. It is said truth always presents itself first ; falsehood halts after, and only by exertion obtains priority in hearing.

Undoubtedly, if children were carefully instructed in the importance of uttering truth, or perhaps of forbearing falsehood, we should hear less of perjury ; but we hear and read daily much more of the crime of perjury than we do of the punishment for that crime. Only when that which is involved in the question which gives rise to the perjury, is of considerable pecuniary importance, is it common to call to account the person who swears falsely. If the truth fairly told does, in a case, triumph over a false oath, the triumph seems to be sufficient without inquiry into the means of action used by the defeated party.

Take for example the report of the trials of certain persons charged with murderous violence in the coal regions of this State, the testimony given in Court by witnesses for or against the prisoner, was often of the most conflicting character—diametrically opposite. If one was true, the other was false. The testimony against the prisoner in many cases prevailed, and the man who committed murder was sentenced to be hung, and that sentence was pretty liberally executed. We heard nothing of the men who committed perjury ; and we may say that the attempt to secure the pardon of the convict, or to secure a commutation of sentence,

does not seem to have been sustained without some of that departure from truth which must have characterized the testimony on the trial.

May we not then fear that in the earnestness of the young advocate to secure his cause he sometimes is less careful in the selection of witnesses than a profound respect for truth in the abstract would seem to require him to be? It may be said that "the advocate is not responsible for the truth of the testimony which any man offers to give in behalf of the client." Sound moral philosophy would suggest a qualification to such an apothegm. If attorneys did not weigh the probabilities of the testimony of a proposed witness our Courts would have much less of public respect than they now enjoy.

Our argument is not with the dispenser or the practiser of law; each of them has a sufficiently difficult task to direct, eliminate or decide; but the cause of sound morals suffers, more by the want of truth, a want of the love of truth, a want of confidence of truth, than it does from any wrong independent of its share of falsehood.

We have little to do with the instances that sustain our opinion. They belong to the criminal records of the country, but certainly the feelings of justice have been much wounded by the presentation of reports of cases in Courts in which a witness has testified in exact contradiction to his former testimony in the same case. That is less surprising than is the fact that the discrepancy passed unnoticed by the Court.

PRISON COLLEGES.

There has for many years past been floating through the minds of some, and profitably entertained in the minds of a few others, an idea as it regards the administration of penitentiaries and prisons independent of the system, whether separate, congregate, or mixed. This idea has been discussed, and all discussions of such subjects result in good.

All who are acquainted with prison rules must acknowledge that after a system has been adopted, there must be pains taken to secure a good administration. It is not enough that men may be careful and impartial in the discharge of their duties as superior or inferior officers; they must have such a knowledge of their duties, and the various requirements of their place, that they may not be taken by surprise with any unexpected event. They ought to have such a knowledge of the temper and proclivity of mind which crime and consequent imprisonment are likely to produce; they ought to have a knowledge of duties and acquaintance with the manner of their discharge.

But it may be asked how can the man appointed to-day as a prison officer understand the peculiar requirements of his place, and the still more peculiar requirements of some abnormal condition of its duties? And that question has led to the inquiry, whether the duties of any calling or appointment are likely to be well discharged by one who has no experience in such duties.

In the International Penitentiary Congress held in London, in 1872, the question was propounded whether

there ought not to be schools established in which persons should be educated to the business of prison keepers. The multitude of subjects that were before the Congress, and the short time remaining for discussion, rendered it impossible to consider the matter at length, and so it was dropped ; apparently, a large majority of the members thought the idea good but impracticable,

The practicability of the national plan of educating prison officers, depends much upon the character of the Government. A national college for the education of prison officers could scarcely be established and maintained in the United States. In the present state of feeling towards prison discipline, it could not be.

But in other countries, Italy for example, if there was a disposition for such a measure it could be carried out. In reference to this subject Dr. Wines, in his address on opening the Stockholm Congress, said :—

“ The penal administration of Italy has, since the Congress of London, founded at Rome an establishment of the greatest interest, and promising the best results to the cause of penitentiary reform. It is an institution—a NORMAL COLLEGE, one might call it,—designed for the professional training of prison officers. It has accommodation for between two hundred and three hundred inmates. The majority of these, though not all, are selected from the Italian army ; they are young men taken from the *élite* of that body. The greater part of them are skilled as agriculturists, shoemakers, tailors, carpenters, or other handicraft workers. These are carefully instructed in all matters necessary to render them

“efficient officers in the various establishments for criminals and vagrants; but they are specially trained with reference to the wants of the agricultural penitentiary colonies, which Italy has recently established. Two thousand of these young men have already gone out from this Institution, and their influence has made itself felt as a beneficial and elevating power in the administration of the prisons of the Italian Peninsula.”

The idea of this “Prison College” is undoubtedly good; immense and continued advantage must result from a staff of officers that are well instructed in all their duties as prison keepers; men who feel that the importance of their situation is increased by the exercise of their moral, as well as their physical, power.

Such a body of prison officers, united on one object and with one view and plan of obtaining that object, would produce effects of incalculable value. It is not to be supposed that all who are now engaged as prison officers would have to give place to the graduates of the Penitentiary College. The long experience of men with their hearts in their work and apt to learn by their observation, would make them just what the “College” is designed to make them. The “College” is to prepare men to fill the offices which these men so well administer, and to take the place of certain classes of officers “who cannot teach and will not learn.” They keep their doors locked and serve out the diet—but they do no more. If they attempt anything else, they irritate the bad prisoner into violence of language and of act, and they provoke the well

behaved tenant of the cell into a contempt of one who is as unable to govern others as he is to rule himself.

But the penal system of Pennsylvania requires enlargement before a College is established. It requires something more than Lock-ups, Houses of Refuge, Houses of Correction, Prisons and Penitentiaries; though all these are necessary.

We have good Houses of Refuge in the cities; they should be extended into the country, or there should be independent establishments in various parts where horticulture and agriculture in all their branches could be carried on as schools for those who usually form the crime class in our cities. Much is to be done—too much to be brought forward now. When the Central Penitentiary shall have been completed we shall be ready for agricultural colonies, and that may lead to a preparation for a Prison College. But all things are different in Italy from their condition in the United States, especially in Pennsylvania, and when schemes are presented they must be considered with relation to the circumstances of our country. We have no army from which to draw.

PRISON DISCIPLINE.

SEVERITY.

Severity is with the law and the Courts; unyielding firmness belongs to the officers of the prison, and kindness and earnestness to the visitors. That severity, it has already been said, may degenerate into

cruelty—that is the abuse—all powers are liable to that, but experience shows that in pronouncing sentence, the Courts of our County have not failed to seek to consult mercy in the administration of justice. And it is a rare case to find a sentence that does not seem to express in the Court a desire that the object should be improved as well as punished, and that the length of the imprisonment proposed should not extinguish hope in the convict.

Few things can be more injurious to order in a prison than a laxity in the administration. The force of sentence may be diminished by a well adjusted scale of consideration, but as soon as a convict finds that privileges are allowed to him or to others which are not earned by action or forbearance, he commences to ask for other favours which are not his due. And just in proportion as a convict receives favours, is the increase of his desire to have more and his expectation of deserving less, and that results in a resort to severity which, following the partiality, seems to be cruelty.

The keeper should know the rules of his place, and he should, in his treatment of prisoners, do nothing that is contrary to those rules; and the prisoner should know those rules that he may not expect unpermitted favours, nor complain when they are denied to him. The position of a prison keeper is one of great irksomeness. The insolence, or the hypocrisy, of the prisoner is always a trial of his temper, or the means of a deep mortification.

Let any man who has had direction of a convict

prison be consulted on this subject, and he will confirm the idea that severity (distinguish between severity and harshness or cruelty) in the administration of a prison, is a means of securing not only subordination, but improvement. Prisons that are not well-governed usually become insubordinate by the laxity of discipline that at first only led to the necessity of watchfulness, but soon promoted that insubordination that rendered necessary closer discipline. And that closer discipline is apt to be construed by the prisoner and his friends, and, perhaps, the public, into *cruelty*; one of the most unpleasant of all charges against a prison administration, and one that is induced more by neglect, or an attempt at leniency, than in a steady, stern administration of the laws of the State and the prison.

Cruelty may be manifested in a neglect of the reasonable complaints, or representations, of the prisoner; in the withholding the prescribed rations for his meals, or of any of the provisions for the comfort of the cell consistent with prescribed rules. It may be manifested in harshness of language and offensiveness of tone. It may be manifested in the refusal of indulgences usual in the institution, and compelling the prisoner to feel that bad as is his condition as a convict, it is made less bearable by the undue partiality which distinguishes for the worse, and without cause, his case from that of his fellow-prisoner.

But it may be said, and with great truth, that a great number of prisoners grumble at their treatment and afflict themselves with thoughts, and their keepers

with assertions, that they are treated worse than they need be, and worse than are their fellow-prisoners in other cells. Great injury is often done, as we have occasion to know, by this querulous and unjust fault-finding of prisoners. But before they are punished for the wrong, it is a beautiful, and we may add, a dutiful exercise of position and authority to reason with such and to make them understand the circumstances of their case; to correct the misconception and enable them to judge of the case, and thus to put it out of their power to think that their assertions are well sustained. We have seen that mode adopted with great and good effect, sometimes, not always, extorting from the grumbler a confession that the explanation has corrected his views and will correct his utterance. Nor is that all, even though the offenders may not be satisfied, and such folks do not like to be convinced, yet those who heard his complaints learn to think them unsustained, and thus they avoid the same error.

It is not certain that complaints will cease, or the grumbler be satisfied, by the most perfect explanation. Certain persons, even in society, seem to regret a state of things which will be generally gratifying, because it seems to deprive them of an opportunity to complain. In prison, where the company is not entirely select, and the feelings are not perfectly disciplined, are found those who, really, from a latent, but a decaying, love of truth, if, indeed, it is not from a love of mischief, wish that more causes of complaint existed so that a querulous temper might be grati-

fied. They would rather put up with some serious inconveniences than, having them swept away, to be deprived of all grounds of grumbling; such persons occasionally have not cause for complaint, they have some hereditary or some acquired ailment, and that is used as an occasion for grumbling, nay, worse than grumbling, even lying; they never did think of a providence, but when to the mortification and restraint of cell life is added some physical ailment, they cry out against the Court that sent them to prison, and to the officer who directs them in prison. Such persons, when making use of their infirmities for mischief, misstate their own condition and magnify the amount of the inconvenience.

After the exercise of some patience upon such prisoners, the keepers have been known to leave their cases with the physician, and expose this deception. This treatment rarely does more than to provoke, in the wrong-doers, a surliness totally inconsistent with any hope of producing in them moral improvement, the great and principal object of incarceration.

We have known some cases of this kind; some in which endurance of friends abroad was exhausted, and in prison the exercise of severity became a natural and lawful resort of officers.

We have seen a case of the above-noted cast where it would seem a sacrifice of self respect, and loss of the respect of other prisoners, for the keepers to allow such improprieties to pass without stern rebuke and conditioned penal visitation. And yet when a visitor, unconnected with the administration of

the prison, approached the offender, and prudently, gently and affectionately pointed out to him the necessity of order and discipline in a prison, and the relations of the officer with the severity of that order and the administration of that discipline, and particularly showed how his own (the convict's) comforts, must depend upon an observance of the rules on his part, and the enforcement of obedience to those rules by the officer, the offending convict has slowly but effectually yielded in his conduct, and at a later period relinquished opposition to authority.

Visitors will see, in these facts, that they have certain labours which can be done only by those who may approach the prisoner closely, and not be of the class of those who rule.

We have expressed an opinion that greater severity is required where there is a punishment proposed for crime, to a close observer such an opinion cannot be considered unfounded. But there are many persons, who have given only a superficial consideration to the subject of Penology, who would oppose such an idea?

We must distinguish between severity and cruelty; we must distinguish between that sentence of the Court which consigns a convicted culprit to undergo the exact prescription of the law; and that administration of the sentence (or the law,) which seems to seek for means to aggravate the punishment, and make the sufferer feel as if his punishment was greater than he can bear, and much greater than his offence. We must distinguish also between dealing with a convict who has no idea of imprisonment beyond that of seclu-

sion—who never thinks that the occupancy of a cell has no interest for him, but to punish him for grievous offences against society, and only concerns society as saving it from his depredations or violence for the time included in his sentence. We must distinguish between such a prisoner and one who, whatever may have been his offence, is not unwilling to make its punishment a means of amendment.

Severity for the first is likely to make him understand that his mode of dealing with society “does not pay,” and he may be induced by his very suffering, legal, Court-imposed, suffering,—to listen to the monition and conditional encouragement of Visitors, and to seek to make earnest conscientious resolves to do better.

Severity,—that is steady, undeviating, application of the lawful sentence, the withholding of desired gratification, and the application of discipline according to prescribed rules,—will lead the convict more readily to consider the justice of his punishment, and to avail himself of the opportunity it suggests of true amendment.

After the preceding remarks were prepared upon the mode of treating prisoners with more or less severity than they have received of late, we received from London the “Howard Association Report,” to which we have elsewhere referred, and in the multitude of subjects to which that number of the Report refers with great clearness, we find a few paragraphs which concern this branch of our subject. We copy them :—

"The governors of several large prisons have lately informed the Association that, in their view, the humane treatment of prisoners has in this country attained a maximum point beyond which it would be absolutely pernicious to proceed. Indeed, some persons are of opinion that an extreme amount of prison comfort has been accorded in some cases. There is weight in these views. And the Committee of the Howard Association take this opportunity of remarking that it is no object on their part to make prisoners *comfortable* as compared with honest men outside. Their aims are—the *prevention* of crime before its commission, and the *moral reformation* and *industrial training* of the criminal *after* he has become such.

"So far from preventing crime, undue indulgence to prisoners, as in some of the American gaols, is a positive inducement to it. Repeatedly has the Howard Association protested against the unwisdom of such a policy. But, on the other hand, any cruelty to prisoners must be as vigilantly guarded against. It may be further remarked that, notwithstanding the decided progress made of late years in some departments of prison administration, there remains a great practical disregard of some of the most important principals both of PREVENTION and REFORMATION. Perseveringly to direct attention to these principles is an important service to be promoted by this Association."

Three remarks in the above extract, will naturally arrest the attention of members of the Philadelphia Prison Society :—

First.—That which states what is not the object of the Howard Society, *viz* :—

"That it is no object of that Society to make prison-

“ers *comfortable*, as compared with honest men out-
“side.” To us it seems that the views of the Philadelphia Society do include the comfort of the prisoners. More than once has the Society appealed to the Legislature of the State for laws modifying treatment that interfered with the comfort of the prison, and it has been eminently successful. The actions of the Legislature are responses which denote the most humane feelings that had only needed the appeal, to secure the action.

Second.—“That the aims are the *prevention* of crime
“and the *moral reformation* and *industrial training* of
“the criminal *after* he has become such.”

Third.—That “undue indulgence in some American jails, is a positive inducement to crime.”

We have expressed our views in this article relative to a strong hand over convicts, and we have tried to distinguish between severity and cruelty—an immense difference. But the article quoted from the London Report induces us to refer again particularly to this subject. Not because we, as a Society, or our appointed visitors, are accountable for administration of the penitentiaries or prisons, or the discipline of *prisoners*; we are not *accountable*, but we cannot fail to be *interested* in these as having a relation to our mission.

We are of opinion that an ill judged indulgence of convicts does distinguish the administration of some American prisons. But not to refer to particulars, a knowledge of which comes by observation, narration

and report; we may say that visitors from abroad, who have taken an interest in prison matters, have spoken of what they reported as great laxity of prison government in the United States. The gentlemen who visited this country during the Centennial Exhibition, some of them from the utmost parts of the civilized world, while they admired the neatness and general arrangement of our prisons, expressed astonishment that so much indulgence was allowed to convicts. We need not particularize points to which they referred; but those who have witnessed the administration of some of the most approved prisons in Europe and know something of the direction of our own, will comprehend at once the nature of the difference.

MILITARY DISCIPLINE.

The change of residence, resulting from a change in the location of industries, rendered the population of certain parts of Great Britain almost *unable* to supply a county prison with what was formerly considered an average number of inmates. So that while some of the prisons in Scotland and Wales had a respectable staff of officers, they were furnished (some of them,) with only two or three prisoners. A consequence of this paucity of inmates was the very high individual cost of maintenance. In some prisons the cost of the prisoner was two or three hundred dollars a year and no offset for earnings.

A law called the "New Prison Act" was passed by Parliament, April, 1872, which reduced the number of prisons in England and Wales from one hundred and thirteen to seventy-six, and in Scotland thirteen prisons have already been closed. This must be a large annual saving.

It seems that the tendency of placing the prisons under military rule by appointing military rulers, which we noticed on a former occasion, has reached a point which may now be regarded an established rule, that military men must be placed in government of all prisons; "and the prisoners, both convicted and accused, are placed under military rule;" and the inspectors of prisons, appointed under the new prison act, are all soldiers, and so in the board and other organizations, "merchant police and professional men are being shouldered aside."

Captain Mackonochie, who understands the duties and requirements of both prisons and camps, says:—

"The ultimate purpose of military discipline is to train men to act together; but that of penal discipline is to prepare them *advantageously to separate*."

In England there is a very large standing army, and consequently a very large number of *waiting* officers. These men must be paid, and a public prison creates a demand for a certain class of talent which may be found at less expense in the army than in civil life. The treatment of army soldiers, by army officers, in Europe, is usually so hard as often to approach cruelty, and when in the person to be governed is found the *convicted felon*, many have reason to fear that the

claims of the man may be made to give place to the supposed deservings of the felon.

We should be thankful, in this regard at least, that the standing army of the United States is so much smaller than the demands for its service, that we have very few real Captains, Majors and Colonels intriguing for the place of jailor. We think that there is not much danger to our merciful prison discipline from the introduction of military rule, through military rulers, but there would be danger if the military rule should be introduced.

The London paper, "Howard Association Report," from which we derive our facts, says, however:—"Now "it may be admitted at once, that *some* soldiers do "make excellent prison officers." We may add that the very expression of the admission shows that what is not admitted may be regarded as inadmissible.

WHAT IS TO BE DONE AND HOW.

While we are putting forth a record of what we, as a Society, are doing, and thus showing what we mean to do—while we make statements of what associations, national and internal Congresses are proposing, it may not be amiss to refer to some things which we *ought* to do—they are right in the line of what we are doing, but they need the adoption of certain systems, the acceptance of certain plans, and the prosecution of certain measures, before we can hope for even the blossoms from which our fruit is to spring.

What is needed is the adoption, in its severity, of the separate system of imprisonment, under the name of personal, individual, treatment of prisoners, and having adopted *that* plan, all legislation, all sentences, and all administrations should be for that end.

The separate system, it is true, was *adopted* for the Eastern Penitentiary, but the administration failed there, because after many years, as everybody knows, the number of cells was not half the number of prisoners. What the excellent Warden of that institution would have continued to do, had he been able to allow each convict a cell, and to command the services of an appropriate class of employés, it is not difficult to surmise. But while almost everything was an impediment to his progress, it is wonderful how much he effected by a knowledge of his duties and his special gift to work against opposing circumstances.

The first thing needed is the system, and that supposes the adaptation of a prison to the requirements of the system. The construction should be such as to allow the separate confinement of the convict, so that he should from the time of his entrance never see nor hold converse by sign or token with other convicts.

The system needs of course a head—a warden or superintendent, with a strong attachment to his profession, and a hearty assent to the requirements of the system of separate confinement. The subordinates, the assistant warden, the keepers and watchmen and the lowest of the employés, “clothed with a little brief authority,” all should understand the system which they are aiding to administer. Their knowledge of

duties should include a knowledge of themselves—an ability to control their own tempers, and a deep *conscientiousness* that shall ensure to the extent of their ability, the fulfillment of all the rules and directions of the prison. And among these of subordinate authority should be found the men who are to regulate the work to be carried on in the cells.

Moral, religious, and secular, teachers should have a place in the staff of the superintendent and these teachers should be able to instruct in branches not usually taught or exercised in prison; often these branches have but one student, but as the system is "personal" no one is disturbed in his conquest of the multiplication table, while the instructor is assisting the inmate of another cell in *differential calculus*—nor would the repentant offender be annoyed, while committing to memory the Ten Commandments, with the lesson of his neighbor who is reviewing his acquaintance with Horace and Livy, or emphasizing the iambics of the Latin poets.

All these pursuits are not necessary to the proper progress of a convicted prisoner, but they have been found in county prisons, and it is gratifying to know that good resolves of those who had greatly erred have been strengthened and ripened into practice by an indulgence in classical and mathematical studies.

These and other studies profitably occupy the mind, and serve greatly to bring back self respect, so important to a convict—but self respect must not be confounded with "self indulgence,"—as it was before detection and conviction.

The prisoner must be made to profit by his good conduct, and the aggregate of records of good should be available to some personal advantage, and the termination of his imprisonment should be regulated by his conduct.

Employment of some kind seems to be most desirable, but that employment should be in conformity with established rules. Every cell, if properly constructed, will admit of a vast variety of labours, literary and mechanical—a much greater variety than has as yet been introduced—and there should be a person to direct the prisoners' labours.

As the system is *to be* separate, the old punishment for neglect or transgression, *viz.*, “shutting up,” may not be resorted to, though confinement admits of many varieties. Blows may not be inflicted, but the great offender may be “held uncomfortable,” when moral suasions shall have been tried and repeated in vain. In no case is the inmate of the cell to be allowed to act upon the idea that he has not committed a crime, or that he is not undergoing the penalties thereof. It is the sense of criminality and recognition of the justice of the punishment which (with kindness) produces that species of repentance which is not to be repented of.

Against the system of separate or cellular confinement many excellent persons cry out with great warmth:—“It is abominable; it is worse than homicide; it is tending directly to insanity; it is shutting out the poor convict from all association and intercourse; it is making his cell a tomb, in which he

"must contemplate no release but by death; the convict in the separate cell is like the Venetian prisoner, who discovered that every morning the walls of his prison approached some inches, and in a fixed, but short time, they must meet and crush him slowly to death." These and hundreds of other charges are made by unreflecting, uninformed, persons. We do not purpose to advocate the system of personal dealing of separate confinement at present, but we will copy a statement from one who is not a friend of the separate system—though he is a friend of truth. We have stated already that the separate system is fully adopted in Belgium, and has had time to show its effect. Now of the administration of the system in that country that distinguished investigator says:—

"Schools exist in all the prisons of Belgium, even the secondary ones, in which instruction is given in reading, writing, arithmetic, elementary notions of geography, history, grammar, the elements of linear drawing and geometry, more particularly in their application to trades and the useful arts. Moral lectures of a familiar and thoroughly practical character are constantly given to the prisoners."

Certainly such provisions for improving the minds and hearts of the prisoners, even those in the secondary prison, show a true feeling for the prisoners. The statement thus continues:—

"The tedium of the cell is sought to be relieved by a variety of distractions. During his hours of toil, the prisoner receives many calls; all the employés

“ must visit him, and so, in their several degrees, seek
“ to become agents of his reformation. Each keeper
“ has twenty-five prisoners. It is his duty to be con-
“ stantly in the cells, going from one to the other, so
“ that every inmate is, by the regulations, to have
“ one-twenty-fifth part of the day of his keeper. Be-
“ sides this, the prisoner receives the visits of the Di-
“ rector, the sub-Director, the three Chaplains, the
“ School-Master, and the two Physicians. There is a
“ rule fixing the number of visits which each function-
“ ary is bound to make daily. The Director and sub-
“ Director must each visit twenty-five prisoners, the
“ Chaplain must spend five hours in the cells, and the
“ medical officers, besides the care of the sick, must
“ each see twelve prisoners in their cells.”

This seems to be a development of the separate system, and we do not see what other system can be regarded as in any way approaching it in probability of usefulness. The Belgians, who have tried almost every system, earnestly contend that they have the best system in the world. Of course everything must depend upon the administration, and in Belgium the administration is nearly perfect. The same author, recognizing the importance of administration, shows that the Belgians also comprehend its importance—its necessity. He says :—

“ Much pains is taken in recruiting the staffs of the
“ several prisons. The employés begin, so to speak,
“ on the lowest round of the ladder, and step by step,
“ if the requisite qualities are developed, they may

"reach the position of Director of the Penitentiary. "It is a sort of organization which constitutes the "force of the administration and gives it that strong "*esprit de corps* by which it is distinguished."

This is a statement of the administration of a separate confinement prison, and attention is particularly solicited to it—because we are in this State about to have a "Central Penitentiary," to be conducted on the "cellular plan,"—and we beg the friends of prison discipline, who seek to make imprisonment improving, to move public sentiment to an adoption of the perfect *separate system*. Let there be no half way adoption.

PROGRESS OF THE SEPARATE OR INDIVIDUAL SYSTEM.

The honorary President of the Penitentiary Congress, Stockholm, in his opening address refers to the subject of the system which various countries have adopted for the management of penitentiaries.

The readers of this Journal are aware that Belgium has adopted the cellular system more generally than any other nation; we therefore refer especially to the following remarks by the honorary President, who has enjoyed and improved opportunities to ascertain the facts of which he speaks. He says:—

"The Belgian prison system since 1844, has been "simply that of 'absolute and complete separation "of prisoners (with a few slight exceptions), during "their entire sentence.' * * * The system was commenced, to a limited extent, in 1835, but did not

"obtain complete organization until within late years, "and it may now be said to be absolutely accomplished. "BELGIUM IS NOW FURNISHED WITH A COMPLETE PENITENTIARY SYSTEM ON THE CELLULAR PLAN, with day and "night cells to the number of four thousand seven "hundred and two. Not only is the system of administration and discipline one and the same in the "central or convict prison, but the *régime* of the "secondary prisons throughout the whole country is "organized on a uniform footing in every way and "everywhere in the Kingdom."

In Holland the cellular (separate) system seems to be steadily gaining ground, and it is said that it is probable that the cellular system will be fully adopted in all the Low Countries.

The separate system seems to be gaining favour wherever it is understood, or wherever there is a sufficient population to make the management of prisons a matter of general interest and legislative action.

Belgium, it is said, has more than any other nation adopted the separate or, as it is called in Europe, the "cellular" system of imprisonment. And year by year we hear of her increased satisfaction with the plan, and of the influence of the good administration of that plan upon other countries.

We look earnestly in reports from abroad for remarks upon the prevalence and comparative utility of the several systems, and on opening the Report of the Howard London Association for 1878, we are struck with a paragraph or two in special relation to this system. Speaking of CONVICT PRISONS, the report says:—

"It is gratifying to observe that the importance of the separation of convicts from corrupting association with each other, (a subject which the Howard Association has perseveringly urged,) is at length claiming some degree of practical recognition by the authorities which have made little progress in this direction. But a thorough improvement is impracticable, so long as the existing system of long sentences to *associated* labour on the public works is maintained. These sentences put the country to a ceaseless expense; they often break down the prisoner physically and morally, whilst dispersing their families, or consigning them to the parochial rate payers. They cause the future recognition of the discharged convict by a multitude of fellow evil doers, whose acquaintance often becomes ruinous. They foster insubordination, escapes, and occasionally even revolts."

The Howard Report, after mentioning other evil results from congregate imprisonment, adds:—

"But with shorter and sharper sentences, of from two to four years SEPARATE imprisonment, with adequate daily visitation by officers and instructors, and judicious voluntary visitors, far more reformation and effectual punishment would be inflicted, at once more severe and more merciful than the existing plan."

The Howard Report combats the idea that separate confinement has produced more mental injury than did the congregate confinement. "Mr. Burt," it says, "in his record as chaplain of the place has declared and illustrated by figures that insanity under the

"congregate system has been eight times greater than during the four preceding years, when the separate system was in full operation. During all those four years there was a complete isolation of prisoners from each other in cell, chapel, school and exercise grounds."

The Report adds:—"Shorter separate imprisonments are more penal and more merciful, more deterrent and more reformatory, more economical in the prisons, and more preventive for the future than long, corrupting, gang-labour terms."

OPINION OF DISTINGUISHED PERSONS IN ENGLAND ON PRISON DISCIPLINE.

ENGLAND ON PRISON DISCIPLINE.

Preparatory to the International Congress at Stockholm, the friends of prison improvement in different countries in Europe held meetings to engage their respective governments to take part in the deliberations of that Congress by representation through men who for character and position could confer dignity and be trusted to present and advocate measures of prison improvement, or to discuss, improve and accept such measures from others.

Such a meeting was held in London in May last, under the auspices of the National Association for the promotion of Social Science, and with the view as above stated.

Over the London meeting Lord Carnarvon presided. It may be remembered that he also presided over the International Convention in London, in July, 1872, and it is gratifying to find in the list of representatives to this meeting the names of many persons of distinction who had been active in the Congress of 1872.

We copy some of the remarks made in the meeting of May last; and first, that of the Earl of Carnarvon, the President:—

"The Earl of CARNARVON said that he knew he
"was addressing those who had made the question
"one of constant study, and for his own part, during a
"great many years, he had taken great interest in it,
"as it was his privilege to fill the chair at the Interna-
"tional Congress in 1872. It might not be out of
"place if he referred to some of the more important
"consequences of that Congress. It had given birth,
"in the first place, to a very large mass of prison
"reform literature, which he commended to the atten-
"tion of those who took an interest in the subject.
"In the next place, it had borne fruit in many of the
"principal countries in Europe. Switzerland and
"Belgium—the latter long known for its interest in the
"cause—had made marked advance in the practice of
"prison discipline. Holland had improved worthily
"in the same direction, and he believed he should not
"be incorrect if he said that the cellular system in that
"country was almost universal, if not quite. Italy had
"made great reforms, having established three agricul-
"tural penitentiaries, and founded a Normal School for
"the training of warders and prison governors. The
"Northern countries—Denmark, Sweden and Russia,
"especially Russia—had all made very large reforms.
"Germany had either framed or was framing a new

“penal code, which ought to be of high value. France
 “had undertaken a work apparently the largest and
 “most important that had ever been attempted by a
 “government on this or any similar question. He
 “might mention that the issues of the inquiry in
 “France were, firstly, a law for the reform of the de-
 “partmental prisons; secondly, a draft law for import-
 “ant changes in correctional establishments; and,
 “thirdly, a large administrative change by the creation
 “of a Central Council for the Supervision of the Prison
 “System. As regarded the object before them now,
 “he might say their object was to take stock of
 “the knowledge already gained, to consolidate all
 “the information, and finally ascertain what means
 “could be devised in the existing state of things for
 “improvement. He thought when they came to
 “deal in an International Congress with questions of
 “prison discipline and reform it would be unwise, and
 “indeed impossible, to lay down any uniform rules
 “applicable to all nations. There were some countries
 “old, some new; all at different stages of civilization.
 “Many had very different ideas, and the difference of
 “race and of climate largely affected their desire and
 “ability to make reforms in their existing system.
 “Again, prison reform was one of the most expensive
 “reforms, and with new and undeveloped countries
 “the element of expense would always form a mate-
 “rial difficulty. His conclusion, therefore, was, after
 “a good deal of thought, and watching the practice of
 “prison management, especially in the Colonies, that
 “it would be quite vain to lay down any rules abso-
 “lutely uniform. On the other hand, out of the sea
 “of conflicting theories and practices, there were some
 “principles which emerged and might be accepted by
 “all, if not enforced by all. To sum up some of the
 “most important, he would say, assuming, of course,
 “some form of classification, that there should be a sep-

"aration of prisoners, at all events by night. Second-
"ly, that the system should be based on the progressive
"advancement of prisoners from a lower to a higher
"class; such advancement being dependent on their
"conduct, and, as far as possible, upon some practical
"test and proof, *viz.*, work done in the prison. Thirdly,
"they should be all agreed that the old class of brutal
"punishments was at an end, and what punishment
"was necessary for the maintenance of discipline,
"should be moderate, and, above all, absolutely cer-
"tain, so that there should be no doubt in the mind of
"prisoners as to the nature and amount of the punish-
"ment. Lastly, they should be all agreed as to mere
"useless work. It would be wrong to sacrifice prison
"discipline to remunerative work, but, on the other
"hand, work, so far as it could be made productive
"and tending to a useful end, he held to be the right
"and sound view both on behalf of the State and the
"prisoner. Taking all these principles to be accepted,
"it was impossible to refrain from an expression of
"thankfulness that such was the case, when one looked
"back on the state of things that existed in prisons,
"both in England and Europe generally, not so very
"long ago. Let them look back to that era from
"which he held all prison reforms really dated—the
"commencement of Howard's labours. Then there
"was a total absence of classification, and a huddling
"together of men and women, young and old, tried
"and untried, and those convicted for grave offences
"and light. Let them picture the horrors, in detail, in
"the prisons of Europe, and, he was afraid, still more in
"those in England—for it seemed to him that the bal-
"ance of evil did not, in those days, lie in favour of
"this country—the disgraceful scenes in the prisons,
"the cruel oppression to which the unfortunate prison-
"ers were subjected, the pestilences which swept them
"off, and sometimes decimated the innocent as well

“as the criminal, the effluvia that tainted the persons
 “of those who, on grounds of humanity or duty, in-
 “spected the prisons, as experienced by Howard in his
 “visits, and they would feel thankful for the change
 “that had taken place within the lifetime of two or, at
 “most, three generations. Going back to a period
 “more recent than that, when Norfolk Island was in
 “full operation, and Captain Mackonochie went out
 “there, the noble Earl mentioned a case of a young
 “criminal who by harsh treatment had been degraded
 “to the condition of a brute, and had to be chained to
 “rock, but who, under the treatment of Captain Mack-
 “onochie, was converted into one of the best assistants
 “on the island. Captain Mackonochie said, ‘I treated
 “him simply as a human being.’ For four or five
 “years, as head of the Colonial Department, he (Lord
 “Carnarvon) had in a measure administered a vast
 “number of Colonial prisons. The prisons, of course,
 “in the responsibly governed Colonies, were under
 “the control of the local authorities, and many of them
 “were admirable; but the prisons in all the Crown
 “Colonies fell under the more direct charge of the
 “Minister in England, who was, within certain limits,
 “responsible for their discipline and system. It might
 “be worth while if he mentioned what was the course
 “of proceeding, as there was much official literature
 “on the subject, beginning with a circular dispatch of
 “Lord Cardwell, who was Colonial Secretary in 1865,
 “in which he desired that certain information might be
 “collected. In 1871 Lord Kimberley, who had suc-
 “ceeded at the Colonial Office, summed up all that
 “had been gathered in the despatch, and this had been
 “printed. The result of his (Earl Carnarvon’s) cor-
 “respondence was to be found in two or three rather
 “large blue books. There were three conclusions to
 “be drawn from that correspondence. Firstly, that
 “the cellular system was, at all events, now recognized

"and accepted in principle. It was not the cellular
"system as they knew it here at Pentonville and the
"highly elaborate prisons of this country, but one
"which, for the purpose of health and separation at
"night, answered the object in view. Secondly, the
"nine months' preliminary separation, such as it is in
"this country, had been found in most Colonies to be
"impracticable, the circumstances of the Colony, the
"expense, the absence of good buildings, and many
"other considerations, having made it impossible. In
"that respect the Colonies were an illustration of what
"might be expected in some European countries.
"Thirdly, a great difficulty was found in procuring ef-
"fective native officers, and superior officers were got
"from English prisons. On the whole, the results dur-
"ing the four or five years he had to deal with the
"matter were satisfactory. A great deal of building
"had been done, enlarging and reorganizing, but much
"remained, on the other hand, to be done. Much was
"to be learned one from another in regard to prison
"management. There were three things desirable—
"good buildings, good prison regulations, and good
"men to work the prisons, the latter being of the three,
"he thought, the most important. He thanked the
"Colonial Governors who threw themselves heart and
"soul into the work, naming Sir William Gregory, Sir
"Arthur Phayre, and Sir James Longden. He had no
"doubt that, given good men, a good system was se-
"cured, a prison reformer needing not only sympathy
"with the class with which he dealt, but also good
"sense in dealing with them. Mr. Howard was an
"example, winning the approval of such men as Mr.
"Burke and Lord Thurlow, and the thanks of parlia-
"ment. In all times and places there was noble work
"to be done, and the world would never be barren of
"the opportunities for doing good. The present ques-
"tion was of the highest importance to men and the

"State. A great writer had described a prison at the close of the last century, over which might be written :—

"Through me you pass into the City of Woe;
Through me you pass into eternal pain;
Through me among a people lost for aye."

"He remembered a prison in Rome—established by Pope Clement XI.,—with the motto, "*parum est im-probos coercere pœna nisi probos efficias disciplina.*" There was a whole world of difference between the two mottoes—the difference between the old and bad and the new and merciful systems.

"CARDINAL MANNING said :—

"He could not refrain from reminding many present of the noble words in which Dr. Wines alluded to the benevolence of Howard, in the Temple Hall, at the Prison Congress held some years ago; and it was certain that none could have heard in the report (so full of modest simplicity) which Dr. Wines had made, that he had five times visited Europe since the year 1871 for the purpose of promoting this great cause of humanity, without feeling that his energy was not a mere emotion, nor the language of eloquence used for the occasion, but the expression of his own personal life and endeavour. It seems strange that the most sacred and majestic thing on earth, the administration of justice, should incidentally produce the most frightful evils that could be conceived. He had heard with great interest the details of Norfolk Island, because it was that which forty years ago first brought to his own mind a full conviction that the administration of a penal system unaccompanied by the penitential system, was in its operation a horror and a degradation to all who were under it. It seemed to him that a penal system appeared only to the fear and the suffering of the

" criminal, and did that which our Divine Master forbade us to do by the example of His life. He never broke the bruised reed. What first brought the subject before him was a book written by Bishop Broughton, who was sent out for the purpose of bringing religious influence to bear upon that colony; he stated that for years, when there were congregated from ten to twenty thousand convicts, not one minister of religion was in that colony. What could be the effect? One poor convict gave this testimony:—'It matters not what a man may be when he comes here; when he comes here he may have the heart of a man in him, but in a little while the man's heart is taken out of him, and the heart of a brute is put into him instead.' He remembered when the Prison Congress assembled in London last time there was a great deal said about the system of admitting the visits of friends, well chosen and under good discipline, to converse with prisoners during their detention; and he felt sure that the bringing to bear of a pure and healthy life from the outside world upon the poor incarcerated convict, the wakening up of a hope of the future, the providing a friend, to whom, after he was liberated, he might turn, would keep alive in him the one lingering spark of hope for the future. With regard to the three conditions of good prison reform the noble chairman had said, most wisely and truly, that the most important was the last, *viz.*, the training of those who should have the care of prisoners. While he could not speak of adult prisoners, he had a long experience in the management of boys, many of them criminal boys, in the reformatory schools. Of five schools under his own close inspection three had been managed by trained managers; these schools contained one thousand boys. Two others containing about four hundred boys were under untrained

“managers. As to the latter, he had great difficulty in
 “getting managers; changes had taken place again and
 “again, the schools getting into disorder. But not so in
 “the three schools under trained managers. He had
 “scarcely had a single instance of mismanagement re-
 “quiring inspection or interference. He ascribed that
 “to the fact that the managers had been trained with
 “care and wisdom for the purpose. The next point
 “was what was the best mode of dealing with children
 “of the criminal or vagrant class; principles could not
 “be laid down applicable alike to all countries and
 “races, but he believed there was one which had been
 “departed from most unwisely and with disastrous re-
 “sults. He knew no mode more sure to render the
 “management of children unhealthy and impossible
 “than by congregating them together in masses and
 “thereby departing as far as possible from the condi-
 “tions of domestic life. That was a universal principle
 “which might be applied in every land; and he was
 “happy to know that our Government and those who
 “had the care of the Industrial and the Poor Law
 “Schools were apparently convinced that the more
 “they departed from the domestic life the worse were
 “the schools; the more they limited the numbers and
 “approached the domestic life the more successful the
 “treatment of the children. He gladly seconded the
 “Resolution, which was put and carried unanimously.

“Lord O'HAGAN, in moving the next Resolution,
 “said they were there assembled to aid one of the
 “holiest causes that could possibly attract the human
 “heart, and one that would in time enlist the kindest
 “sympathies and most earnest support. His Lordship
 “was right when he said that the originator of prison
 “reform was an Englishman, and as long as benevo-
 “lence and self-denying virtue were honoured in the
 “world, the name of Howard would be honoured, and
 “he coupled it with the name of Elizabeth Fry. If he

"were appointed to make one of the deputation he
"should say that his country [Ireland] ought not to
"be overlooked. He had had much to do with the
"administration of the criminal law, both as First Law
"Officer of the Crown for Ireland, and as a Judge;
"and he was happy to say there had been in his coun-
"try a development of prison reform during the last
"fifteen years such as had scarcely been equaled
"elsewhere. Sir Walter Crofton and other of his
"friends had devoted themselves earnestly and suc-
"cessfully to the establishment of a system, which,
"having regard to the natural influence of individuals,
"had, by avoiding punishment for the sake of punish-
"ment, and by looking to the reformation of the crim-
"inal, improved enormously the prison discipline of
"his country. He thought, then, that there should be
"an influential representative of England to aid the
"Congress at Sweden. The interest they took in
"this matter was one of the most exalted and most
"practical. Prison reform would give good citizens
"to the State and pure souls, while prison discipline
"was one of the most important matters that could
"engage the attention of man. Crime was expen-
"sive, and the more it was reduced and the number
"of criminals diminished, the more they promoted
"not merely the moral and religious, but the material
"interests of the State. His Lordship moved:—

" "That a Deputation be requested to wait on the Home Secre-
" "tary, to represent to him the advantage of an official or other
" "representation of the views of this Meeting at the Congress at
" "Stockholm."

"Sir HERON MAXWELL, Bart., in seconding a Resolu-
"tion, thanked Dr. Wines for his paper. He himself
"had been a magistrate some forty-six years, and had
"kept his eyes open to what crime was. The difficulty
"was how to deal with criminals. With regard to

“ children, he never, if he could avoid it, sent little
“ boys or girls to prison, but back to their parents,
“ where possible. He had great aversion to sending
“ them to prison, knowing how they were contamina-
“ ted there; and he knew that if they were there for
“ only a month, that the fact of the child having been
“ in prison surrounded the child for the rest of its life.
“ In the Industrial School at Feltham the magistrates
“ were proud to see the way the children were treated.
“ About two-thirds of the boys preferred to go to sea.
“ He believed there were parents wicked enough to
“ get their children to commit crime in order that they
“ might be sent to reformatories, so as to escape the
“ keep of them. He hoped that would not be over-
“ looked at the Congress about to assemble. He
“ heartily concurred in everything that had occurred
“ that day. As to whether the lessening of punish-
“ ment would go to the prevention of crime, was a
“ great problem they had to solve. He heartily sec-
“ onded the Resolution, which was carried.

“ Sir DOUGLASS FORSYTH, C. B., in proposing the
“ next Resolution :—

“ ‘ That the Justices of the Peace in Counties and Boroughs, the
“ ‘ Managing Committees of Industrial Schools and Reformato-
“ ‘ ries, and Prisoners’ Aid Societies, be invited to send delegates
“ ‘ to the Congress.’—

“ observed that he had had some experience in the
“ administration of justice and jail management in
“ India. Owing to the great efforts of Dr. Mouat, the
“ administration of justice in India had greatly im-
“ proved as regarded their prison discipline, but they
“ had been hampered by social castes, by religious
“ prejudices, and had not been able to get anything
“ like the system which had been arrived at in this
“ country. The Indian Industrial Schools, Prisoners’
“ Aid Societies, etc., were things very much for the

“future; but he hoped they would be able to benefit
“by the experience which was gained in other coun-
“tries. He had traveled all over the world, and one
“thing struck him very forcibly on coming back
“home, that whereas abroad the most important
“works were left to officials to carry out, he found in
“England that whatever the work to be done might
“be, and wherever good was to be effected, it was the
“nobility and gentry, the intellect of the country, and
“the voluntary contributions of the people, which
“were all brought to bear with such great effect.
“The magistrates in Counties and Boroughs were
“chiefly unpaid, and they devoted, gratuitously, much
“of their time in furthering the good cause, the man-
“agement of schools and reformatories, superintend-
“ed very often by ladies and gentlemen of rank and
“position, and he was glad to think that they were
“now ready to come forward to send a deputation of
“their body to attend the coming Congress.

“The Rev. Dr. ACE submitted the next Resolution
“to the meeting, and in doing so said he fully en-
“dorsed all that Cardinal Manning had said of the ne-
“cessity of having trained teachers in all reformatory
“schools; and was pleased with the remarks of Sir
“J. Heron Maxwell as to the non-imprisonment of
“children. Years ago he, Dr. Ace, advocated that
“principle, in which he almost stood alone, and was
“nearly annihilated for doing so.

“Mr. CHARLES CLARK, Q. C., in seconding the Reso-
“lution, said the interest taken by him in the subject
“had been strongly fortified by the observations of
“preceding speakers, and they seemed to be on the
“point of carrying that into effect which was most im-
“portant in any reform of prisons—that was, the de-
“termination of a sound and efficient means of prison
“discipline. The imprisonment of the criminal for

“vengeance was not the object of the law, but prevention; and if prevention could be obtained by the improvement of the criminal they would do what one speaker strongly recommended, who said:—‘Empty the prisons;’ but he, Mr. Clark, would say:—‘Prevent them getting full.’ In doing good work for the community and the unhappy offenders, and improving them for the sake of society, they also did excellent work for themselves, for they were benefiting the whole country and the innocent, who might otherwise have suffered from a prisoner’s depredations.

“Dr. MOUAT moved a cordial vote of thanks to Dr. Wines for his eminent labours in the cause, for the long-continued perseverance with which he had advocated it, for the trouble and self-denial which he had exercised in bringing together these prison congresses, and for the admirable address which he had given. No one deserved more their gratitude. He felt sure that hereafter the name of Dr. Wines would be associated, in the history of this question, with the name of John Howard, and that they would be imperishably joined together as men of a kindred spirit in one of the grandest works that had ever engaged the attention of man.

“The EARL OF CARNARVON said if there were need of a seconder, he should claim to be that person, because no one could more heartily concur in the words of praise, not one of which had been excessive, which Dr. Mouat had bestowed on Dr. Wines.

“Colonel HIGGINSON, of the United States, proposed a vote of thanks to Lord Carnarvon for presiding, whose remarks, he said, were worth a voyage across the Atlantic to hear, and concluded by submitting the following letter from his excellency the United States Minister:—

LEGATION OF THE UNITED STATES,
LONDON, *May 16, 1878.*

"MY DEAR SIR:—I am very sorry that I shall be
"unavoidably absent from the meeting to be held to-
"morrow in furtherance of the subject of Prison Re-
"form.

"I am full of sympathy with its object, and cannot
"doubt that its consideration by good men will lead to
"the happiest results. Crime and punishment are so
"connected in our mind, that it is difficult to believe
"that the utmost severity is not the only remedy for
"wrong-doing; and yet, so far as this world is con-
"cerned, it is not the corrective applied by the Creator
"towards erring men.

"How to strengthen the weak and how to restore
"the fallen are questions which, as yet, to say the most,
"are but very partially solved. Science has already
"vastly advanced man's physical condition, and have
"we not equal reason to hope that his moral nature
"may derive a like improvement from the concentra-
"tion, upon this most important subject, of the atten-
"tion of the profound thinkers of the present day?

"With very great respect,

"I am your obedient servant,

"JOHN WELSH."

ITALY.

The tendency of public feeling in Italy, and indeed
in many other countries, is toward the alleviation of
the sentence of Courts for the highest crimes. The
punishment is lessened, but it is not certain that the
number or atrocity of crimes is lessened. When
Humbert ascended the throne of Italy, on the death

of his father, Victor Emanuel, he followed the practice of distinguishing the commencement of a reign by an act of clemency ; and a reporter of the measure, as he enumerates the persons favoured, says :—

“ The collective pardons of the young monarch “ withdrew *immediately* from the public executioner fifty-five (55) human lives, and eventually thirty more. “ So the work of clemency saved eighty-five (85) human beings, who were destined to the gallows, and “ spared to Italy a sanguinary hecatomb which would “ have wrought injury to any nation educated in moral and Christian sentiment.”

The act of clemency of the new king included a large number of convicts, who were undergoing punishment for libels and political wrong, these latter received full pardon ; for the other class, commutation rather than pardon, denoted the extent of clemency. The murderers were not turned loose upon society, but were detained for life.

The number of capital punishments average about thirty-nine a year in Italy.

In the last ten years three hundred and ninety-two were sentenced to death ; of these three hundred and eighty-one were men, and eleven women, of whom three hundred and forty men and eleven (all) of the women escaped execution, some by commutation to imprisonment for life, and some by dying before action was had on their cases after sentence. The capital sentences were : for assassination, one hundred and sixty-three ; robbery with murder, one hundred

and two; parricide, fifteen; infanticide, five. No woman suffered capital punishment.

IRISH SYSTEM.

In discussing propositions for systems by which the penal institutions of a State or Country may be conducted, many persons refer directly to the Irish System, as it is denominated, as embodying most of the improvements of modern times. That system is divided into several distinct but entirely dependent parts. *First*.—Separate confinement with very hard treatment. *Second*.—Congregate confinement, with hard treatment and hard work. *Third*.—A treatment that finally results in a ticket-of-leave.

The *first* is improperly severe in its deficiency of necessary comfort. A physician, reporting lately on the death of a convict in that prison, declared that the disease was caused and the death hastened by the hard treatment.

The *second* is the congregate confinement at Spike Island; and the treatment of the prisoners and their conduct there are referred to with great censure. One writer says that Spike Island is a disgrace to humanity; and almost all agree that this intermediate prison helps no one but the officer. An observer says:—"In June, 1878, a gang of Irish convicts at Spike Island attacked their wardens with shovels, "and considerable injury was inflicted on both sides."

The *third* is the measure that peoples American prisons with ticket-of-leave men.

The *first* is the difference between severity and cruelty, so much of the former as to become the latter.

The *second* is an illustration of the evils of the congregate system.

The *third* shows how a nation may rid itself of advanced criminals at the expense of another people.

MEANS COMING INTO USE.

Almost all our statements, as almost all our labours, have reference to the punishment of criminals, and the efforts to assist to lessen the punishment, with the labours of visitors to make the punishment a means of amendment. "Give me where I may stand and I will move the world," said Archimedes of Syracuse. He had acquired a true knowledge of the *lever* and comprehended its uses and possibilities. Archimedes could make a "lever," and he could collect the "power"—all he wanted was a "*fulcrum*" on which his lever was to rest, something "where he might stand," and then with lever well placed, and power well calculated, the earth was to be moved.

The great problem of the present day is to *move*, to lift up, prevent and dispose of crime. A world of crime is about us, and the lever is provided, and the power available—where is the fulcrum, how is that to be supplied? We have culprits, convicts and juve-

nile *offenders*, and juveniles who are not yet offenders; these make a world of crime and crime candidates. We have men and women who are willing to devote time, means and comfort to the lessening and preventing of crime, and these supply the power, the lever—let us seek for the fulcrum. As the crimes are to be lessened by the purification of the intentions of the criminal, and by thus lifting from him the mighty load of consciousness of wrong-doing and its consequences, the convicted criminal needs explanation of offence and its connection with his condition. The Visitors of the Society are powers to apply the fulcrum of kind monitions and gentle suasion. Their frequent, their regular, visits to the cell of the offender are uses of a power which rarely fails to elevate when it is applied to a single object—more than one divides and weakens the power, preventing its efficiency

In no way do the affectionate, faithful labours of our visitors become so fruitless as in attempts to produce good effects by visiting crowded cells. So plain is that, so readily admitted by persons engaged in the great charity of visiting prison cells, that when it is ascertained that there are more than one inmate, hopes of good results are relinquished, and the attempts to ameliorate by soothing advice give place to the deposit of good tracts, with the expression of some good wishes.

Visits to cells and addresses to all the prisoners in one hall are the usual means of lessening the miseries of prisons, and leading to the improvement of prisoners, these the visitors make.

Another mode is to follow the accused to his cell, hear his statement, and seek, upon his representation, to procure his release before conviction fixes upon him the seal of guilt. This is the work of the Agent.

But there are two modes of elevating people which we have not noticed yet. One is the reception and care of the young, before there has been much manifestation of a disposition to do wrong. The provision for their future welfare, before that welfare is jeopardized by violations of the rules of society, before bad habits become so strong as to appear to be a part of their nature; where the young boy, manifesting a disposition toward crime, may be reared in the atmosphere of virtuous industry and in the influence of wholesome example, where he may be beyond the influence of city vices, and without the restraint of lofty stone walls.

Our readers know that there are in some of the States of the Union what are called "Farm Schools," where are sent lads for training, physical and moral. We are not prepared now to describe the kind maintained in Ohio and other States, but it is known that they do exist there, and are praised for their great utility in keeping the inmates in families under rule, but not under disagreeable restraint. When the resolve of this State to supply such a means of good shall be made known, it will be time to discuss particulars, though it may be said that the discussion of *particulars* might lead to willingness to grant the *general*.

Reports from some of these "Farm Schools," represent the inmates living happily and usefully in families

with little more restraint than would be exercised by the conductor of a well ordered farm. It is added that the "pupils" of these Farm Schools are useful as labourers and overseers, and also in the discharge of some of the duties of a steward. They cultivate the ground, and when the grass has become hay, or the wheat fields have yielded their rich contribution, those pupils who have attained some age and gained confidence are sent to market with the produce of the farm.

They are jealous of the credit and success of their particular family, and, while they know all those families are labouring to one object, still each has an ambition to secure the highest applause for his own, and persons not informed of the real character of these school farms could not believe that they were not the property *in esse* or *in posse* of these young labourers.

OBITUARY.

There is a sameness in the annual reports of any society that renders difficult, if not impossible, the attempt to infuse interest into statements that can vary very little from year to year. Some of the subjects which are presented may be omitted, and extraordinary emphasis may be laid upon others that will ensure some variety, without which narration fails of interest.

There is one chapter of our Journal which allows of no omission, and which possesses from year to year a melancholy interest. We mean the "Obituary Chap-

ter," that speaks of the departure of some of our valued co-labourers, whose good work, and whose kind words, are remembered to their credit, and to the just social pride of their former colleagues. Nor is the melancholy duty unrelieved by reflection. It is good that our deceased brethren were so profitably devoted to the works of our Society. But it is no less good that the survivors have power of discernment and discrimination to appreciate the worth of labours which they have seen, and have distinguished their peculiar excellence.

The Society, while this report is being prepared, has to mourn the loss by death of one of its oldest and most faithful members. His worth, and the grief of the Society, are set forth in the action of our committee recorded in subsequent pages. The advanced age and the increasing infirmities of others who have grown old in our association, render it scarcely probable that the record now made, will not, before these pages are submitted for approval, be supplemented by reports of the cessation of others of our elders from the work which they have undertaken in the name of our Society.

It is said by some that in causes like ours advocates and defenders should die with their harness on. This idea is good, we should be "faithful unto death." But as to the harness—the Syrian King was smitten between the plates of his armour and was killed; while David, unused to the impediment of shield and spear and armour, chose smooth stones from the brook and with a simple sling, triumphed over a giant foe. We

must have our heart in the work, and that is a wonderful promoter of triumphs.

If, by the direction of Him with whom are the issues of life, some now awaiting "the great teacher, Death," are spared to the coming year, it cannot be supposed that they will survive an extended period. Yet they, even "when the strong men bow and the keepers of the house tremble," resting from labours are not useless; long experience has made them teachers, and they live to influence their new associates by their councils and by a reference to their examples. Those examples are always instructive. Alive, the good man enforces the weight of his example by the power which virtuous age possesses. Being dead, the remembrance of his excellence is operative for good.

The great treasure of our Society is the enviable fame of its past active members. To them we may refer with pardonable pride for what our Society meant to perform and did perform. They ranked with the best citizens in their time, and their rank was made more honourable by a knowledge of their active association with us. It will undoubtedly be the endeavor of those who have acquired distinction among us by sacrifice, labour and office to make certain the hope that while they are honoured by the confidence of the Society, the Society shall not lose honour by them. All who act in the name of this Society feel that they have a responsibility—there is a good name to be maintained; a credit of usefulness to be supported. Our predecessors left us a work, and they left us accountable for that work. When Elijah ascended to Heaven he

dropped his garment upon the shoulders of Elisha his successor—he devolved with the prophet's cloak the prophet's responsibilities.

Let us take heart then, and knowing that the works proposed by this Society are approved, as they are authorized, by God, let us not shrink from the work because others are taken away. We know that in the zenith of their successful labour our predecessors reached a most desirable condition of usefulness; but we know also that the same power which gave wonderful success to their labour, is as able, and we undoubtingly believe, as willing to make us the instruments of His merciful providence and His charitable dispensation for suffering humanity as He did our predecessors.

PROCEEDINGS.

At a regular meeting of the Acting Committee, Alfred H. Love thus appropriately and feelingly announced the death of

JOSEPH JANVIER WOODWARD.

FRIENDS:—It would be doing violence to my feelings to pass from this meeting without turning to a page of our history, which has its gloom.

I have waited until the business of the evening should be completed.

While the Secretary was receiving the responses at roll-call, and was announcing the names of newly elected members, to be co-workers with us in this impor-

tant vineyard of life's duties, and we were all felicitating ourselves over the fresh and earnest material that was coming among us, promising the good fruit of spiritual faith and works in behalf of misguided humanity, I could not help thinking of our out-goings, and the unresponsive name, the eloquent absence, of one who has faithfully fulfilled all the obligations of member, friend and man, now hushed in the repose of death.

I refer to the seat made vacant by the recent and unexpected decease of our esteemed fellow labourer

JOSEPH J. WOODWARD.

We welcome the new, but we sorrow for the old. The wisdom, the faithfulness and the strength of the departed must animate the remaining, solace our grief, and inspire others to enter these "fields already white unto harvest."

Joseph J. Woodward was a faithful visitor at the Eastern Penitentiary, a wise counsellor and a sympathetic pleader with the prisoners; a regular attendant upon our meetings, and the duties thereof; often the best listener, with words few, but always "fitly spoken;" and with a weight and an influence of character that made his presence felt, his opinions respected, and his life illustrious.

I own to a peculiar admiration for his bearing and intercourse. There was a charm about his attachment to the prison cause that cemented our affection to it and to him.

We worked the better because we found him work-

ing as a great example. From one who knows of his vigilance within the prison walls, I can safely say few visitors have been more constant in their visits or more triumphant in their ministrations. We can set the honorable mark upon this friend that shall distinguish him for all future time.—“He was known by his works.”

JOSEPH R. CHANDLER said:—

The annunciation of the death of Mr. Joseph J. Woodward brings with it a sad reflection upon the uncertainty of temporal possessions, and the certainty that with all of usefulness that may be ascribed, they must soon cease. There is a consolation assured by the recollection of pure motives and useful results, that may be ascribed to the action of those whose loss we are called upon to mourn.

Mr. Woodward was for many years a useful member of this Society, and an eminently labouring member of the “Acting Committee,” upon which devolves the labours of the whole Society. His love of the principles of the Society, and his devotion to the fulfillment of its pledges, were manifested at the Quarterly Meetings; the usefulness of his work and the advantage of his councils were recognized in the meetings of the “Acting Committee.” But it was in the labour of his appointment, at the Eastern Penitentiary, that his usefulness was fully known to his brother labourers, and felt and acknowledged by the special objects of his care.

There were few questions of importance presented

and discussed in our meetings that were not benefited by his short, earnest addresses, containing the practical views of our deceased friend—views always respected by his associates, because they were presented by one of long experience and unimpeachable fealty to our principles and to our Society.

It was not with measured, flowing language, or an assumed appearance of zeal that Mr. Woodward impressed his ideas upon his auditors. Simplicity of plan, directness of execution, and a willingness to yield if convinced, and a readiness to be convinced, gave an importance to the expression of his opinions.

There were times perhaps when a part of the meeting which he was addressing dissented from his opinion, but there never was a season of debate in our meeting (remarkable for unanimity) when his opinions were not received with profound respect, which showed a high appreciation of the purity of his motives and the value of his services; and that appreciation was enhanced by the readiness with which he concurred in the execution of plans which he had not primarily favoured.

The zeal of our departed friend seemed to increase with years, and among the last of his labours was the continuance of the work which had employed so many of his days—a work in which he “was faithful unto death.”

Extensive as is the roster of our Society, numerous as are the names on the list of members, we cannot strike from the roll of *active associates*, without extraordinary regret, the name of one who, like Mr.

Woodward, had so ably advocated, and so devotedly illustrated, the excellence of our plan and the usefulness of our works.

We shall miss from the class of hoary heads and mature intellects, the presence and the concurrent action of one who sympathized and laboured with our brethren; but we shall not dismiss from our memories the pleasant association enjoyed with our colleague, and we shall find pleasure and profit in frequent recurrence to the worth of a member who was to us a "crown of glory because found in the way of righteousness."

Mr. Chandler offered the following Resolutions:—

Resolved:—That, while the active members of the Society recall with pleasure their intercourse with their late associate, Joseph Janvier Woodward—an intercourse distinguished by the amenities of a Christian gentleman—their gratification is increased by the thought that while those courtesies are remembered as the general characteristics of their departed friend, the reminiscence of his gentle intercourse is not disturbed by the recollection of even a rare instance of excited debate. He was earnest and constant in planning and executing schemes to promote the objects of our Society. But he "possessed his soul in peace."

Resolved:—That as an expression of high estimate of Joseph Janvier Woodward, as a man, and as a useful member of this Society, and as a token of profound grief at his death, the whole of these proceedings be spread at large upon the record of this evening's meeting; and that, as a testimony of sympathy, an attested copy thereof be transmitted to the family.

At the regular meeting of the Acting Committee, in

September, the following annunciation was made by Joseph R. Chandler:—

Among those who, a short time ago, sat with us, advising future action and judging of the past—coming among us as sharing in the principles which unite us as body, and sympathizing and participating in our general and special labours, was

GEORGE M. ELKINTON.

Some of our colleagues may know less of him than do others who have been longer engaged in the work of prison reformation. But all who knew him here, and witnessed the evidences of his enlightened philanthropy, have learned before this time that our friend and colleague has ceased to be of us—but only ceased when death closed his relations with active life, and devolved upon his former friends and associates the solemn duties of expressing their high appreciation of his worth, and of commending his active virtues to the approval and imitation of his survivors.

Those who knew George M. Elkinton will comprehend the character of his philanthropy. It was pure and heartfelt; in its exercise there was less of enthusiasm than of permanence. His labour showed that he sought the good of its object, rather than the gratification of his own feeling. He felt much for the suffering convict; but he felt also that it was chiefly by suffering that the convict was to be made better. And, while he sought to alleviate the miseries of the prison, he acted also from the conviction that the al-

leviation of the miseries of the prisoner must come only with his regret for criminality and his resolve to improve.

Mr. Elkinton's sense of justice was clear and strong, he would have justice fairly administered, but that administration must be accompanied by mercy, mercy reasonable, practical, legitimate. He knew that much of the misery of prisons comes from the crimes of the prisoner. But he knew also, that much of that crime which disturbs society, comes from ill regulated families, and the seeds of criminality as sowed in the child's mind at the parents' fireside. While he felt that public crime shut a man off from the general, social intercourses, Mr. Elkinton felt that such a fruit of wrong doing commended the offender more to his feelings of philanthropy than to those of revenge, and so he discharged a portion of his duties to God by a faithful manifestation of his kindness to man.

Mr. Elkinton had had the fulness of life. He gave his youth and his manhood to his high duties as the head of a family, as a man of business, and as a good citizen. Exemplary in all his relations, and in fullness of years, he ceased from his labours.

With a sense of what the Society has lost by the death of such a member, and what it gained by his good services and exemplary character, it is—

Resolved :—That this Society deplores the loss, in common with society generally, which it has sustained in the death of George M. Elkinton, and cherishes with affection the remembrance of his zeal and devotion to the work of philanthropy, in which we are all engaged ; and, while we thus record our regret at the death of

"a good man," we feel a certain sense of pride in reflecting that the goodness which we applaud was manifested in the course of usefulness which this Society has prescribed for itself.

Resolved :—That as a testimony of respect to the memory of Mr. Elkinton, and of profound sympathy with his family in their loss, these proceedings be spread at large on the minutes of this evening's proceedings, and that an attested copy thereof be transmitted to the bereaved family.

At a meeting of the Society, held at the customary place, Joseph R. Chandler offered the following remarks and resolutions on the death of

THOMAS H. POWERS,

for many years a member of the Society :—

The sudden death of Mr. Thomas H. Powers, was recognized, by almost every person in the city, as an event to be deeply deplored by all who enjoyed the gratification of his acquaintance. But especially is the death of such a man to be regarded as a general loss by all who feel a special interest in the condition of those who by misfortune or even by crime are deprived of the power of helping themselves, and thus become a burthen to society by enforced poverty, or a corrupting example by their vice and crime.

Mr. Powers had achieved a most enviable distinction by his great wealth, but he had a larger and more desirable fame arising from the honourable manner in which that wealth was acquired and the noble liberali-

ty with which it was made subservient to the great good of an immense number.

There are many abroad in our city, who can and do bear testimony to the extraordinary liberality of Mr. Powers in expressing his regard for institutions with which he was connected. His munificent contributions to the cause of religion generally; and especially to the denomination with which he publicly worshiped, was an illustration of the great truth that the liberal man deviseth liberal things. His remarkable liberality was specially noted in his generous treatment of the employés of his extensive works. All looked to him as the bounteous administrator of the wealth which their employment aided him to produce, and which their wants enabled him to expend in a manner most consonant with his feelings.

Those tokens of that real charity, which does not wait till distress extorts it—but prevents distress by anticipating its call, are recognized and are spoken of wherever the name of Mr. Powers is known. Indebtedness to it, acknowledged indeed by thousands, who are blessed by the streams of charity without knowing the source whence they flow.

It is not my intention to follow the general good works of Mr. Powers with commendations which, however inclusive and emphatic, must come short of the praise which those works deserve.

Mr. Thomas H. Powers was a member of the Society for Alleviating the Miseries of Public Prisons, a member of this, our own Society. Mr. Powers was also a member of the Board of Inspectors of the

Eastern Penitentiary. He understood well and, (for a long time, until his death,) discharged fully the duties of that position as prescribed by the law of the Commonwealth—as approved by his own humane feelings, and commended to others by his faithful practice. The surviving members of that Board have expressed with emphasis and feeling their high appreciation of his worth, after rallying from the first effect of the announcement of the death of their esteemed colleague.

The position of Inspector gave Mr. Powers an opportunity (well improved) of studying the wants of the prisoner, and of discharging all those duties that devolve upon a member of this Society, who is appointed a "Visitor." Mr. Powers did not receive that appointment; he did not need it. He made himself a visitor—as an Inspector. The visitor is an agent of the Society, a representative, to dispense moral and religious instruction; the visitor is also an almoner of the Society.

Mr. Powers persuaded powerfully, because pleasantly, the convict to form good resolutions. Mr. Powers was his own almoner, and he employed others to dispense his particular but abundant charities—an almoner who could bountifully aid the convict and prudently conceal the name of his principal.

The almoner of our Society dispenses in the aggregate a considerable amount of money to the convicts. The aggregate of Mr. Powers' charities was itself wealth, and he who distributed it had limit only to individual want, but none as to the number of the recipients.

Among the privileges allowed to the Penitentiary convicts is the luxury of reading—to them books are a useful luxury, books of the right character—books to amuse and to instruct—books that shall exhort to virtue and present the example to be followed; these, beside the contents of the large library of the institution, to which he was a bountiful contributor, were abundantly supplied by Mr. Powers. There are necessities, especially of the newly discharged convict, that are too often neglected, if the wants were made known to Mr. Powers there was at once abundant means for their supply.

Mr. Powers was a providence to the unfortunate. He was a guard and guide to those who would do well. He was a friend, adviser and helper to those who had done ill. He did not think that even repeated crime excluded any from his discriminate charity. He hoped while there was time, and helped when there was a promise of amendment. He was firm in, and zealous for, his religious creed, but in the exercise of his charity he did not inquire whether the beneficiary thereof worshiped in Samaria or Jerusalem.

We have said that Mr. Powers was not a member of our acting committee, but as an Inspector of the Penitentiary he had the means of knowing the wants of the convict, and in the spirit of our Society was the bounteous dispenser of the enlarged wealth with which Providence had rewarded a life divided betwixt business and beneficence.

It is not a part of our duties, though it is an occasion of pleasure, to follow Mr. Powers beyond the

limits which the Society prescribes to its representative members. He was good and was always contriving good. He was obedient to the hint, in scripture, that "to be sick and in prison" is to have a claim upon the charity of the well and the free, and the call of the sufferer was a demand upon his heart and his purse. But the liberality of Mr. Powers, the wealth of his charities, were found not alone in hearing and answering the cry of the miserable, but in the magnificent uses of his wealth by providing that labour which insures the means of family support without the sense of degradation which sometimes springs from the acceptance of aid without rendering an apparent equivalent. Mr. Powers may not have needed the houses which he caused to be erected, but he knew that hundreds of mechanics and labourers needed the money required by the pay for the labour of building, and it was greatly charitable to supply that want, without depriving the recipients of their coveted title of "workingmen."

Our Society declares its mission to be "to alleviate the miseries of public prisons." One of the greatest alleviations of prison miseries is lessening the number of prisoners. Mr. Powers contrived means of employment for men willing to work and unwilling to beg, or do greater wrong. He felt that he maintained the sense of manhood more by giving work than in giving alms. He removed by that means the necessity to beg and the temptation to steal—surely that is a diminution of the number of prison candidates, and that is an alleviation of prison misery.

How beautifully then did Mr. Powers do the work of our Society? Or, rather, in the amplitude of his generous plans of benefits, how discernable are the particular objects of our Association?

While the numerous societies of which he was a member, and the people at large, are doing credit to themselves in publicly honouring the name of Mr. Powers, by recalling for perpetual remembrance and distant imitation his multiplied charities; while they point to his charities to the poor, his kindness to the struggling, and his munificence toward means of spiritual good, it is the privilege of this Society to say this man too was *our* brother.

Resolved:—That this Society has felt, in common with the citizens of Philadelphia, a profound sorrow from the death of Thomas H. Powers, and adopt, as expressive of its own appreciation of that good man's worth, the sentiments and language in which the painful event has been formally announced to the Society this evening.

Resolved:—That the Society refers to the life of the late Thomas H. Powers with emotions of gratitude to God for the spirit of benevolence and enlarged discriminating charity by which that life was especially distinguished; and it is a subject of felicitation that much of the tried and eminently beneficial charities which seemed to make up the life of Mr. Powers were exercised in the prescribed channel of this Society's labours.

Resolved:—That as a perpetual testimony of the appreciation of, and profound respect for, the philanthropic and exemplary labours of Mr. Power's life, this proceeding be spread at large upon this evening's record; and, as a token of deep sympathy in the domestic sorrow produced by his death, an attested copy thereof be transmitted to the bereaved family.

REV. ELIAS R. BEADLE, D.D.

After this Journal received from the Society its *imprimatur* and while it was yet in the hands of the printer, the members of the Society were pained by the annunciation of the sudden death of the Rev. Elias R. Beadle, D.D., whose name appears as one of the Editorial Board that prepared the Report. Before the Journal could be distributed, he, who so willingly united in tokens of respect for the memory of the worthy dead, ceased to be of the living.

The death of such a man as was Dr. Beadle could not occur without producing general pain and regret.

The theologian, the scientist, the gifted linguist, the persuasive orator, the warm-hearted philanthropist, has had a special memorial of love from each organization of which he was a member, and a general offering of mournful respect from the whole community of which he formed a distinguished and useful part.

At a stated meeting of the Acting Committee of "The Society for Alleviating the Miseries of Public Prisons," Joseph R. Chandler made the following annunciation, and presented the subjoined Resolutions:—

Since our late meeting, the general community has been called to deplore a loss in which this Society has a deep and painful share. The Rev. Elias R. Beadle, D.D., died very suddenly, on the morning of the 6th inst., and many societies with which he was connected have given expression to their respect for his high usefulness, and their grief at his unexpected death.

The numerous calls upon the time and services of Dr. Beadle, beyond those of his pastoral relations, rendered it almost improper that his services as a visitor to the prison-cell should be looked for, although it was evident that his earnestness in whatever he undertook, his most correct opinions of the mission of a visitor, and especially his powerful appeals to offenders, and his persuasion to do good, would make him a most desirable representative of the Society, at the door and in the privacy of the cell.

Dr. Beadle was not a frequent assistant even in our regular meetings. His appearance there seemed to indicate that he had snatched a few moments from the multitudinous demands upon his time abroad, in order to enjoy the pleasure of our ordinary intercourse. He undoubtedly enjoyed that intercourse because it was in the way of duty. But he afforded the highest pleasure to his associates by the earnest eloquence with which he urged to duty, by the sound judgment with which he pointed out the path, and by the many high motives which he advocated for walking in that path. None can recall the occasions on which we were honoured by his presence, without a remembrance of that delightful and instructive intercourse which must endear his memory to his fellow members.

But there were times in which the interests of the Society, and the objects of its pursuits, seemed to demand his special interference. It was when the means of carrying out one of our great objects were to be solicited from the Legislature. He was a most agreeable and useful associate in those missions, for which,

whoever else might ask his co-operation, he was, for the time, ready to be a co-worker for us.

Of the many interesting and useful relations in which Dr. Beadle stood towards general society, as a scientist or a man of general literature, as an eminent linguist, as a promoter of means of individual aid, as a religious teacher of distinguished rank, it is merely justice that we should say that he stood most prominent among his equals, a leader of thousands who would travel some of the paths which he illuminated by the exercise of his lofty gifts. We of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," recognize Dr. Beadle's usefulness in aid of that professed object. His great object and efforts were to be useful.

Such a man, so endowed and so largely esteemed, becomes a rich treasure to any association that may be favored by his approval and coöperation, and we may claim credit from the general community from the fact that one like Dr. Beadle found pleasure in our Society.

Dr. Beadle was a man of rare cultivation, as he was a man of distinguished eminence, forming and executing plans of good for his fellow beings. He was a merciful, forgiving sufferer, when wrongs were inflicted on himself. He was a vehement denouncer of offenders when flagrant wrong was inflicted on others.

Unexpectedly, but not unprepared, he was called away from life which he adorned, from society which he loved, and from usefulness in which he delighted.

The consolation of his bereaved associates must be found in the recollection of the lovely character of

their deceased companion, and in the certainty that they may more easily accomplish their great work by contemplating the good example which he has left them for imitation, guided by the light which he threw upon their pathway.

We may never again be favoured by services so peculiar and so specially useful as were those of Dr. Beadle.

And in our deliberations and in our labours we shall never make a mistake if we keep in mind his beautiful teachings, and honour ourselves in doing honour to the memory of a GOOD MAN.

RESOLUTIONS.

Resolved :—That the members of this Association receive, with deep regret, the formal annunciation of the death of their fellow labourer in the cause of humanity, the Rev. Elias R. Beadle, D. D.; and while they sincerely mourn the loss of a most efficient associate, they feel as members of the great community, that there has been withdrawn one member whose precepts formed public sentiment; the exposition and defence of which principles enlightened the public, and whose example was most salutary in making evident the fact that while the highest and most cultivated talents may be advantageously employed among those whose condition in life assures appreciation and applause, they may be made eminently useful in improving the mental and social condition of those in humbler walks.

Resolved :—That the members of this Society recall with profound gratitude Dr. Beadle's willing sacrifice of valued time to the promotion of our Society's special plans, and they recollect with peculiar satisfaction, how, in seasons of difficulty, when promptness and efficiency of action were necessary, he made the offering of his

valued attainments most effectual in procuring for the Society the means of maintaining and extending its salutary influence.

Resolved.—That in the multitude of deaths which have caused so much grief in our City, and especially in our Society, there can be few that deprive us of more individual support than does that of the Rev. Elias R. Beadle.

Resolved.—That, while the principles of sound charity which entered into the composition of Dr. Beadle's character made him a friend and advocate of the sufferer in all conditions, the objects and plans of movement of this Society were recognized by him as peculiarly worthy of his approval and aid. Yet, while he was thus a friend of the friendless, and the widow and the orphan's guide, he was a bold defender of the injured, poor or rich; he seemed never to have felt a higher pleasure in wielding his commanding eloquence than when denouncing the oppressor's wrong, or pleading the cause of "him that is ready to perish."

Resolved.—That in token of profound respect for the public and private character of Rev. Dr. Beadle, and in assertion of our high appreciation of his extensive attainments, his remarkable purity of life, and his distinguished benevolence, and our enduring respect for a *good man*, these proceedings be spread at large upon the minutes of the meeting of this evening, and that a copy thereof be transmitted to the bereaved family.

Messrs. Bonsall, Pitkin, Love and Rogers spoke with great feeling of the character, public and private, of Dr. Beadle, and of his great services to the Prison Society, and of the consequent great loss sustained in his death.

The profound, affectionate respect in which the memory of Dr. Beadle is held by this Society was manifested by the remarkable interest felt, and earnestness shown, in considering the Resolutions, which were unanimously adopted, and Messrs. Love, Rogers

and Chandler appointed a committee to present a copy of these proceedings to the family of Dr. Beadle.

CONCLUSION.

We have presented a general account of the proceedings of the Acting Committee of this Society, as well as of the Society itself. We have not sought to present a minute detail of the action of the bodies mentioned. A sameness naturally marks the record of a Society that has one great object and meets often to promote that object. When new matter has called for action we have noticed the result of proceedings in that direction. Generally our meetings have been well attended, and no deficiency of concerted zeal has been noticed, in all proceedings there has been evident much more anxiety to adopt a proposition that promised good, than a wish for discussion.

Amongst the most important parts of reports are the statements made by the Agents of the results of their labour in the Penitentiary and Prison; of the release of the untried, dealing with convicts, preparations for them at their proposed release, and care and provision, for their future, at their discharge. The works of these agents seem to be illustrative of the object and action of the Society. We present also notices of penitentiary proceedings in other places that cannot fail of interest to members of our Society.

We give also a record of the proceedings of the Society with regard to those whom death has released from the pledges to labour with us, but whose good examples serve to stir up the survivors to additional labours. Thus, the great lesson of our Society is maintained by the death of valuable members, and the virtues which we would exercise promoted by a recollection and celebration of the imitable conduct of our departed colleagues.

The latest records relative to the deceased members include those who had passed what men called "the appointed age of man." They were old men—men of experience, men endeared to us by lives of usefulness illustrated by devotion to the particular branch of philanthropy that distinguishes our Society—and they are mourned by co-labourers even exceeding them in years. Men who wait the great teacher Death, without relinquishing their labours. But they cannot much longer maintain the activity of manhood, and at the same time suffer the disqualifying visitations of old age. Hands that offer these pages must soon lose power of contributing to labour, or of presenting the record of their own and of others' works. It is the great provision of nature that men fall while principles exit, that though workmen shall cease from their labours yet others shall continue the work. While the usefulness of an active member is recognized in his own time; yet the existence and progress of the work is of paramount importance to the fate of the individual.

Our work then will proceed; future times shall

profit by the earnest labours of our Society, and new legislation, with regard to penal institutions, shall be suggested and aided in the administration by our Society, though many of us, both those who labour and those who record, shall have passed away.

Who will present the next year's Journal? It is for the Society to appoint and for God to confirm. We hope that they will have to record the prosperity of our Association, and the success of its representatives in attempts to alleviate the miseries of prisons. There will be no relaxation of labour, because there will be no cessation of crime; causes are operative now, as they were in the generation past, that must insure the miseries of prisons. And minds are at work now that will aid in alleviating those miseries. The cells of the offenders will be visited by those who condemn the crime but pity the criminal, and a future generation may comprehend that a man may violate the law of the State without forfeiting the good wishes of the virtuous. And society may be willing to acknowledge that it has as much interest in receiving back into its communion an improved member, as it has in sending to prison an offending associate.

We close this Report then with a full assurance that whatever may be the changes in the *personel* of our committees, the same object, the same zeal, the same intelligence, will be employed to do its work, and to aid in improving plans and means to promote the good of society by aiding to return to its bosom those who straying away into the path of crime never

lost power, and still evince the willingness to do the things that ought to be done, and leave undone the things that should not be done.

JAMES J. BARCLAY,

President.

Attest:—

JOHN J. LYTLE,

Secretary.

PHILADELPHIA, *January 1, 1879.*

TREASURER'S REPORT.

DR. *HENRY M. LAING, Treasurer, in account with Philadelphia*1878.
1 Mo.
24.

To Balance.	\$385 27
" Cash rec'd for Interest on City Loan, ...	619 80
" " " Interest on B. D. Brown Fund, ...	66 00
" " " " " Jesse George "	60 26
" " " " " Randolph "	60 27
" " " " " Ground Rents, ...	86 00
" " " " " City Warrants, ...	15 80
" " " Annual Subscriptions, ...	287 60
" " " City Warrants sold, ...	910 18
" " " Fund for Discharged Prisoners, from Rev. Jas. Saul, ...	100 00

\$2,991 18

TREASURER'S REPORT.

163

Society for Alleviating the Miseries of Public Prisons.

CR.

	By Cash paid Committee on Prisoners, County Prison, . . .	\$ 325 00	
	" " " Committee on Discharged Prisoners, Eastern Penitentiary, ...	1,075 00	
	" " " W. W. Walters, Agent at Penitentiary, . . .	400 00	
	" " " W. J. Mullen, Agent at County Prison, . . .	400 00	
	" " " Rent of Room for Meetings, ...	50 00	
	" " " Secretary for Services, ...	50 00	
1879.	" " " Printing Journal, Stationery, Stamps, etc., . .	290 52	\$2,590 52
1 Mo. 23.	To Balance, ...		\$ 66
HENRY M. LAING, <i>Treasurer.</i> 30 North Third street. <i>Philadelphia, 1 Mo. 23, 1879.</i>			
Having examined the Account of Henry M. Laing, Treasurer, and the Vouchers in his possession, we find the above to be correct, leaving a balance in his hands of sixty-six cents; also, a balance of one hundred and ninety-two dollars and fifty-three cents due to the Barton Fund.			
CHAS. ROGERS, } GEORGE TABER, } <i>Auditors.</i>			
PHILADELPHIA, <i>January 27, 1879.</i>			



ARTICLE IV.

The Treasurer shall keep the moneys and securities in the orders of the Society, or of the Acting Committee, the Presiding officer and the Secretary, and shall present the condition of the finances of the Society at every Meeting thereof.

All bequests, donations and life subscriptions, shall be invested, only the income thereof to be applied to the expenses of the Society.

ARTICLE V.

The Acting Committee shall consist of the officers *ex-officio*, and fifty other members. They shall meet at least twice a month, inquire into the circumstances, and report such abuses as they shall discover, and officers appointed to remedy them. They shall enforce of confinement on the morals of the prisoners, keep regular minutes of their proceedings, which shall be read at every Stated Meeting of the Society: authorized to fill vacancies occurring in their own bodies from death, or removal from the City, or from expulsion. To visit the prisons in accordance with their orders. They shall also have the sole power of electing new members.

ARTICLE VI.

Candidates for membership may be proposed to the Society, or of the Acting Committee; but no candidate shall take place within ten days after such nomination. Every member shall pay an annual contribution of two dollars, and every non-member of twenty dollars at any one time shall constitute a full member.

ARTICLE VII.

Honorary members may be elected at such times and on such terms as the Society may deem expedient.

ARTICLE VIII.

The Society shall hold Stated Meetings on the first, third, and fifth (Thursday) in the months called January, April, July, and October. Of whom seven shall constitute a quorum.

ARTICLE IX.

No alterations to the Constitution shall be made, until after they shall have been proposed at a Stated Meeting of the Society, and not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division of votes; in those where the Society is equally divided, the Presiding officer shall have the casting vote.

OFFICERS OF THE SOCIETY.

1879.

PRESIDENT.—JAMES J. BARCLAY.

VICE-PRESIDENTS. { JOSEPH R. CHANDLER,
WILLIAM S. PEROT.

TREASURER.—HENRY M. LAING.

SECRETARIES. { JOHN J. LYTLE,
EDWARD TOWNSEND.

COUNSELLORS. { HENRY J. WILLIAMS,
WILLIAM N. ASHMAN.

Members of the Acting Committee.

Thomas Latimer,	Samuel W. Jacobs,	Wilmer W. Walters,
Alfred H. Love,	Caleb J. Milne,	P. H. Spellissey,
George Taber,	Leonard N. Walker,	Jesse Cleaver,
Theodore Trewendt,	William Whitehead,	George Hunt,
William J. Mullen,	Edward H. Bonsall,	Albert H. Franciscus,
Thomas A. Robinson,	Henry G. Townsend,	Edmund Claxton,
Rev. Charles F. Diver,	Joseph A. Donnelly,	James S. Martin,
Joseph Kinike,	John O. Connor,	James Spear,
George W. Hall,	Peter Williamson,	Edwin Craft,
William Hawkins,	William H. Jones,	S. W. Van Culin,
William Ingram,	William Shannon Ingram,	Levi Goldsmith,
Horace W. Pitkin,	Charles Rogers,	Owen Jones.
Harry Kennedy,	Penrose R. Hoopes,	

Visiting Committee on the Eastern Penitentiary.

John J. Lytle,	Leonard N. Walker,	George Hunt,
Alfred H. Love,	William Whitehead,	Albert H. Franciscus,
Theodore Trewendt,	Henry G. Townsend,	Edmund Claxton,
Rev. Charles F. Diver,	Joseph A. Donnelly,	James S. Martin,
William Hawkins,	William H. Jones,	James Spear,
Horace W. Pitkin,	Penrose R. Hoopes,	Edwin Craft,
Harry Kennedy,	Wilmer W. Walters,	S. W. Van Culin,
Samuel W. Jacobs,	P. H. Spellissey,	Levi Goldsmith,
Caleb J. Milne,	Jesse Cleaver,	Owen Jones.

Visiting Committee on the County Prison.

Joseph R. Chandler,	William J. Mullen,	William Ingram,
William S. Perot,	Thomas A. Robinson,	John O. Connor,
William N. Ashman,	Joseph Kinike,	Peter Williamson,
Thomas Latimer,	George W. Hall,	William Shannon Ingram,
	Charles Rogers,	

WILLIAM J. MULLEN is Agent for the County Prison, appointed by the Inspectors, and acting under their direction, and is also appointed by the Prison Society.

NEW SERIES.]

NO. 11.

THE JOURNAL

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PRISON DISCIPLINE

PHILANTHROPY.

PUBLISHED MONTHLY.

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR
"ASSISTING THE MINISTERS OF PENAL PRISONS."
(INSTITUTED 1790.)

JANUARY 1880.

PHILADELPHIA,
THE CHANDLER PRINTING HOUSE.

Published for the Society by

1880

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NO. XIX.

THE JOURNAL
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AND
PHILANTHROPY.

PUBLISHED ANNUALLY,
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY
FOR ALLEVIATING THE MISERIES OF PUBLIC
PRISONS;" INSTITUTED 1787.

JANUARY, 1880.

5' PHILADELPHIA:

1880.

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PHILADELPHIA:

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ROOMS OF THE
PHILADELPHIA SOCIETY
FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the Twelfth Month, (December,) 15th, 1879, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of JOSEPH R. CHANDLER, JAMES J. BARCLAY, EDWARD TOWNSEND, and ALFRED H. LOVE, presented the draft of the Annual Report, which, being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At a Stated Meeting of the Society, held Twelfth Month, 22nd, 1879, the Report was presented by JAMES J. BARCLAY, of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have seven hundred and fifty copies printed, with authority to make such alterations and additions as they might think proper; and they were also authorized to distribute the Report.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE,
Secretary.

JOURNAL.

REPORT OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

THE "Acting Committee" discharge a solemn duty to the parent Association by reporting thereto the other duties which it has discharged since the last Report, and presents its annual statement, in the hope that some good has been effected by its labours, and that benefit will result to the parent Society, not only by action which has been had in its name, but also by the publication of that part of the proceedings which may be so approved.

There are parts of the proceedings of the Committee of this Society, through its members, which, though in entire accord with the views and directions of the Society, are from delicacy withheld, not only from publication, but even from report. The Journal con-

tains a statement of what has been done by the Committees, but there are acts of charity, of personal intercourse, of special condition, that must remain unrecorded, though perhaps they will remain longer in the memory of the object, than do some of a less personal relation. It is not to correct our own human vanity that is applied the axiom, "Let not thy left hand know what thy right hand doeth." It is often the bitterest part of human suffering that the remedy is made public. The separate lesson loses much of its force if its application is made public. This Report will then expose the proceedings of our Acting Committee, and so much of its doings as may be the specific provision of the Society—that which only rises out of the general intentions of the Society will be considered as sacred to silence. Men may tell what good others have done to them in secret intercourse, but it does not become the Visitor of our Society to report the good he has wrought. Repentance is to be inferred—not proclaimed, least of all are *means* to be promulged, or the *event of opportunities* proclaimed.

.The appointed Visitor is bound to make known to his Committee the general character of intercourse with the cell inmate, to whom the mission extends, and there will be necessity for consultation and advice, as well as season for general exposition. But the dealing of the "Visitor" with his anxious client is often of so delicate a nature, often involving interests and feelings that belong to the closest relations of life—often including a freedom of intercourse that touches upon events which were not a part of the subject involved

in the trial that proclaimed him a felon and made him a convict. Acts of which the law has no cognizance, society perhaps had no suspicion, but which become almost matters of conscience, in general explanations. We cannot always tell how the law may consider such late confessions, but the sense of all society will excuse the lonely listener, who may startle at the revelation, but find that existing punishment is affording an improved opportunity for that general repentance which shall do more for the safety of the public and the re-establishment of the convict than protracted imprisonment for the exposed crime or reiterated punishment for the yet unexposed derelictions. He who is undergoing incarceration for forgery may, if repentant, make moral restitution with exposure of the lesser crimes that lead to the commission of the greater felony. The greater includes the less—as well in repentance as in crime. To gratify personal vanity or hatred by the exposure of what the visitation elicited would be to act in opposition to the great requirements of our Society, and defeat the object of private visitation. The acts performed by our special agents or through the general agency of our Society are, as it regards subject of publication, matters of encouragement, and means of securing aid by making known by example the character and extent of our usefulness. We may say that so many have been led to resolutions of good by the labours of our Agents and we may report something of the effect which our intercourse has had on the character and number of our beneficiaries, but it is not permitted to make known the exact argument by

which those effects have been produced, nor the character of the exposition, by which interest in the prisoner's behalf was excited. The "Separate system" supposes a separate dealing—if one prisoner is not to learn from association what has made him a participant in seclusion, still less is the convict to learn from his Visitor his neighbour's wrong-doing and the temptation.

These remarks, which apply to the publications of our Society and point to the delicacy due to all from us, who go to do good, and not to gratify curiosity, have also an application to individual statements. No Visitor of the Society, with the object of his mission in view, and the great responsibility considered of his acceptance of that mission, will feel justified in making known to persons uninterested all the results of his private intercourse with prisoners. His kindness of manner—the very self-sacrifice supposable in his mission—create, as they are intended to create, confidence in his client, that confidence induces expressions, relations and confessions which may not have been anticipated. No oath of secrecy, no pledge not to reveal the revelation, could be more binding on the Visitor to keep secret what has been imparted to him in the sacred confidence of grief and repentance, than his obligation as a Visitor of our Society—his solemn sense of duty as a gentleman.

We see then what are the limits to the Reports which we make to the Society and which, in turn, the Society, through the press, makes to the public.

The meetings of the Committees have been regu-

larly attended, and reports from both sub-committees to the Acting Committee indicate attention on the part of the members to the duties assumed by them in accepting the position of Visitors. The number of visits to cells and individuals shows that something was attempted, and we have reason to believe that much good has resulted.

A female of great worth, who is a regular Visitor to the County Prison, being asked whether she really believed that she had produced any real good to the females whom she visited, replied:—"I do believe that I do good here, as I believe others, who come as I do, also accomplish. I see the results of our efforts —I wish I could hear also of the benefits produced by us. Here, while I visit, and talk, and advise, and distribute interesting and instructive tracts, the poor prisoners seem as if determined to profit by what they hear read; and such are the evidences of their good resolves, that I find much satisfaction in thinking that the women and girls are better for my visit: they are respectful, decent, and apparently as happy as they are comfortable, with clean room, clean dress, clean person, and good, wholesome food. I do not indeed supply these means of creature comforts, but I certainly think I make them more enjoyable. Especially I hear expressions of gratitude and promises of amendment. May I not say I do some good?"

"Undoubtedly you procure a legitimate virtuous pleasure to the prisoner: But as to the permanency?

"There is where I hesitate; there is where I am compelled to distrust. Too often I meet in the cell

“ the same persons that listened to me months ago,
“ and express regret, while I feel astonishment at their
“ return to a criminal cell. They understand my feel-
“ ings and some assume boldness and avow indiffer-
“ ence, but more frequently, and as I think more justly,
“ the returning offender has to plead the insecurity of
“ the position which she had to take when she left the
“ prison. The want of place, the want of immediate
“ means—to which I think I may add a want of suffi-
“ cient resolution to endure privations and contempt
“ till something should occur to enable her to attempt
“ the fulfillment of those resolutions of good, which
“ good advice and kind treatment have caused. The
“ work is to all be done over, with not half the likeli-
“ hood of success which marked efforts in the first
“ imprisonment. And yet I think I do good to the
“ prisoner, even though she is destined to renew her
“ occupancy of a cell. The benefit may not be per-
“ manent, but the resolution and the attempt to ac-
“ complish something are, to say the least, occasions of
“ gratification. No human being ever resolved to do
“ better that did not, for that very resolve, feel better.
“ She may return to vice and then return to the
“ prison, but I have done some good if I have pro-
“ duced, in a single offending woman, the happiness of
“ feeling resolved to avoid vice; there must be a de-
“ lightful satisfaction all the time in which that resolve
“ is entertained. And who shall say that after another
“ fall and another imprisonment, some of the advice
“ given, which produced those good resolves, shall not
“ be recalled and induce a renewal of the resolution ?

“There is an infinite vitality in truth. Let us have
“faith that in the end it will prevail.”

The remarks of the female Visitor should find an echo in the heart of every one who assumes the duty of prison visitation. The duty of advice, of encouragement, exists. The harvest may fail, but every stray grain may produce a stalk that shall be fruitful in another year.

But what is the fair deduction from the remarks of the lady Visitor? That warm-hearted, good, woman knew that she accepted a mission to the prison for the purpose of doing good to the prisoners, and through them to society. According to her statement the good which she did for the prisoner was probably limited in time to the expiration of the sentence. She knew nothing of what would follow—she knew, indeed, that it is said happiness follows virtue—but she knew also that the virtue of a discharged female convict is in imminent danger as soon as she leaves the walls of the prison. So that whatever pleasure the prisoner may have derived from the kind lesson of the Visitor, the public in whose behalf the felon was arrested, tried, and condemned to imprisonment, would derive little benefit from the lessons of virtue imparted. The first concern of the community with regard to violation of the law is its own safety; afterward, of course, the community will require that, utilizing the imprisonment which for a time secured its safety, the convicted offender may become a good citizen abroad—but it only knows that, where the experiment has been tried. The object of the community in the imprisonment of a felon, that

is, the security of the people, is answered by the incarceration. While the prisoner is safely locked in his cell the public is safe from his depredations. The moral lesson of the visitors is to go no further in its effect than to gratify the feeling of the culprit. The Turnkey is the man for procuring benefit, he insures the safety of society, as it regards the present action of the prisoner, and if the future conduct of the prisoner is not the main object of the Visitor, then it would seem that the visits are useless. They may be productive of gratification, of much private pleasure to the cell inmate, but it is submitted that the object of imprisonment is not the present pleasure of the convict.

People talk of new and enlarged views of imprisonment. These do not come from any new affection for rogues, they spring from a new and enlarged view of the sanctity of humanity, and of the capabilities of man. And it is seen that the dignity of man is degraded—the sanctity of what is formed in the image of God is desecrated, and that the great end for which man was created is wholly neglected in imprisonment that has no relief in moral suasion—and in discharge from that imprisonment which has not guarded against a repetition of crime.

But we renew the question:—What is the fair deduction from all this? Though the interference of charitable people on behalf of prisoners in their cells, produces nothing beyond some pleasant conversation or some slight resolves of good, much good is done; but that good is not practical and too often ephemeral. The man who yields only slightly to influences

of good in his cell will scarcely escape the bad influences of evil companions when he acquires a freedom to yield to the effect of bad association. When all around appeal to the indulgence of bad passions and all within invite to the gratification of bad appetites, we need either a new Society, or enlarged facilities of this, for protecting the discharged convict, with the mind and spirit to devise means by which he may be kept from a repetition of former bad acts, and with money enough to put those plans into execution. The eye of the Society should never be closed to the condition and position of the discharged convict, more than is that of the Warden to the condition of the sentenced convict. When such arrangements are perfected, with resolution and means to carry out the object, we may confidently hope for almost unfailing good results from separate confinement. Many such societies now exist in embryo, but they need to be developed, they need to have the hearty co-operation of members that have a mission for the work. Each committee of this Society is a sort of protective committee of discharged convicts, and by its members, or its specially designated agents, does something—does much indeed—in the good work. But the committees are not organized for that special object. They have no numbers, no rules, no great means equal to the duties that have been assumed; and until such preparations are made—till the discharged convict shall have been prepared in his cell for liberty—and until measures have been adopted, and means and men provided for the direction of his freedom, the work of visiting prisoners in their cells,

and dealing with them as moral agents, must lack a great means of success, and hence be prosecuted without great hopes.

In other countries societies for aiding discharged convicts, known in France, Belgium, and Switzerland as *Sociétés de patronage des libérés*, have for many years been in existence, and have been largely patronized by some of the governments. They have always had in view the same ends ; but their administration has been modified to suit the improvements in prison discipline, which have been secured by careful observation, till the separate system has given new life to the plan of patronage, and in some countries it is deemed useless to bring a prisoner under the advantage of the patronage until he has been prepared by cellular treatment.

We notice the proceedings of a committee appointed to make division, among the many societies of patronage in France, of twenty thousand francs, voted by the Government to aid these institutions ; and this sum was distributed amongst different patronage societies, with great impartiality as it regards numbers and religious creeds.

We see in this, as in other proceedings, that the Government of that country, as undoubtedly of other countries that maintain a supervision over penal institutions, feels bound to help forward the work which it is compelled to inaugurate.

We have, indeed, in this State, appropriations for prisons beyond the estimate of the cost of governing the place, feeding and clothing the prisoners, and

maintaining the building ; but those appropriations are spasmodic, and hence do not admit of a plan for the regular application of the fund. Considering the "patronage" of discharged convicts of the utmost importance in the plans of improving the morals of prisoners, we lay great emphasis on the establishment of Societies for that purpose and for their connection with the prescribed work of the Acting Committee of our Society. The work of improving the morals of convicts must be most efficiently performed, if it is expected that the prisoner will be left to himself when he is discharged from his confinement—more successfully done than is usual. We do not doubt that convicts have left prisons, even congregate prisons, and returned amended to society, with well-kept purposes to become good citizens ; but on inquiry it will be found that they have not had much to be amended, that the act of which they were convicted was not in itself very heinous, that it had by circumstances been greatly exaggerated, and that a single false step had led from the paths of rectitude, and that the soul had not been debased by association with felons. The memory of his mother's lesson of purity still lingered around his heart, and the examples of his early companions were rising in beautiful contrast with the conduct and conversation of the wretched beings with whom he had been brought into contact, drifting away from home and home precepts, from all that had made his childhood and youth a beautiful sunshine ; in the midst of his degradation the voice of his prison visitor awoke anew that sunshine which shed upon the passing

cloud a glorious rainbow, the promise of quiet and peace that shall follow the resumption of virtue.

These tears are also the portion of the unrepentant felon. Men often weep for what, while they regret, they do not possess the resolution to avoid. They weep, but there is no sunshine to give their tears the rainbow of hope, and so "the clouds return after the rain."

It is desirable to impress upon all the idea that the interest in the prisoner should, with those who seek the prisoner's good, extend beyond the prison. The nurse teaches the child its steps and aids it with walking furniture; if then her aid is entirely withdrawn the young pupil will, in its attempt to go alone, most certainly fall. No better can be hoped of the prisoner who is buoyed up by the counsel and persuasion of the "Visitor," to attempt self-sustained movement beyond the cell. He will fall again unless he had fully repented and found means of future support, before the Visitor came to him, and then he did not need the Visitor's advice, and will not be dependent upon the Society for aiding the discharged convict. "The whole need no physician." We have alluded to a great want—a provision without which our care, ministration, and advice in the prison is not productive of so much good as we anticipate. There are other impediments to which we shall allude, but this, of a want of aid for discharged convicts, is of special and of immense consequence—one that calls for consideration of philanthropists. The Legislature of the State has done something in this direction, as we have already stated. But

what the Legislature does in this way, is so little to be depended on that our Committee have not grounds of reliance enough in what is done, to undertake plans of future action, which, to be worthy of the great cause, should be extended forward with such an amount of hope, and so much earnestness, that there will be no apprehension of failure.

From what we have said it is evident that we think that the "Separate system" of prison economy is necessary to any considerable improvement of the convict, and especially necessary to the improvement of any considerable number of convicts, and it is evident from observations all around us, that as yet there is not in this country a prison constructed to answer to all the requirements of the improved cellular system. We may hope that some close approach to the true plan will be made in the Central Penitentiary, authorized by the legislation of this State; but variation from the construction of any existing prison must be authorized. The plan of separate confinement in all its rigour has not been attempted that we are aware. The "Separate system," as it was called, was theoretically adopted in the Eastern Penitentiary at first, and the administration was the best the world had ever seen; but that system was taken up abroad, and the circumstances of social life gave the administrators of the system an opportunity to test it in its specialties. They had not to direct each movement by the uninformed opinion of the multitude; but giving each inquiry a fair test, they approved and adopted any measure that suggested improvement, and in their independence pro-

duced a system, or rather completed a system, that commands public approval. All this was done while any plans of perfecting the system in this State were defeated by so using the cells of the Penitentiary that all ideas of separate confinement were confounded; and the result of the administration, while infinitely better than that of the congregate plan, was far short of what should have been produced, painfully less than the name of the system, and the character and devotion of the excellent administrators seemed to warrant.

If there is really as much capability of good in the "Separate system" of prison discipline, as we declare is to be found in its correct administration, why is it that so many who seem interested in means of public welfare, and so many more who would much rather have good means used than bad means, seem so strongly opposed to the cellular mode?

The question seems to us most natural—the answer easy and satisfactory.

The many have no means of judging. They hear a decision—it has certainly been the judgment of the majority, and it is quite in accordance with what they have always heard, and if they have ever been in prison the idea of a lonely cell has always seemed more terrible than the idea of bad companions. It is astonishing how much power of government there is in an idea.

But there are some who, having found their opinions adopted, because they are printed, have been complimented with extraordinary general faith, because in other matters they have acquired, and justly acquired, a fame for excellence.

To very few more than to Charles Dickens has the present generation of fiction readers been indebted for wholesome pabulum for their appetites. Dickens, in one of his works, narrated a visit to the Eastern Penitentiary, whither he went to see the operation of the "Separate system," and he was sure that the discipline of the place would soon put an end to the life of one prisoner, whom he pathetically describes. That was nearly forty years ago—Dickens had the choice of residence and the choice of company, and he died some years ago, and moulders, always regretted, in Westminster Abbey. Langheimer, whose case struck such horror into the soul of Dickens, has been in the cell of the Eastern Penitentiary many times since Dickens saw him there, and while we are writing this report is serving out a three years sentence there. Langheimer's survival of the cellular imprisonment, and a repetition of several such close confinements, would seem to speak less favourably of the moral than of the physical treatment of the place. The case of Langheimer shows how completely felonized (to coin a word) men may become. The case also shows that there are some so morally debased that good counsel avails them nothing, while they are so indifferent to their condition that good food will keep them fat in the closest confinement. There are many things in which a man may resemble a brute.

Yet, Dickens' statement, which he repeats in a work of fiction, had much effect even in this city; and in England it is quoted at this day as an argument against the "Separate system;" and the opinion was the more

effectual from the fact that Dickens was a popular writer of novels, as if that occupation made him a judge of penal practice. In the "*Spectator*" there is the advertisement of a man who professes to cure cancers: To arrest attention and secure confidence he says:—"That the people may know that I am not an impostor, and that I can make the cures which I profess, I would inform them that I served five years in the army of Frederick the Great."

There is certainly as much relation between the business of a Prussian soldier and the practice of a cancer doctor, as there is between the pursuits of a novel writer and the opinion of a practical penologist.

"Oh!" exclaims one, "the rogues when once caught ought to be made to earn their own living."

But how when they get loose again? They will probably earn their own living by modes not intended to be taught, though easily acquired in a congregate prison. Thousands who are punished for small felonies by congregate confinement, owe their future incarceration to *that* which ought to have been a real correction.

But, some one may ask, if the congregate system is so inefficient in attempts at moral improvement, and the "Separate system" is so disturbed as to admit of few of the advances of which it is really capable, what are the prisoner's friends—what are the visiting members of the Acting Committee to do?

They are to work more laboriously; they have to meet the inconvenience of crowded convicts, and to conquer the difficulties of associated vice.

When the Board of Health proclaims that the neglect of ordinary hygienic means has produced and is making worse a yellow fever, the physician does not plead the existence of the manifest cause of the disease as a justification of his neglect of sufferers. He hastens to the scene of misery, and while he ministers to the wants of the patient, while his art is employed in prescribing remedies, he joins in recommending a prevention that shall save the community from a repetition of at least a part of the distress.

The Visitors of our Society have a deep interest in all measures that save their fellow-beings from prison, and in all plans and systems that make the prison a place for promoting virtue, while it punishes and lessens vice.

The conclusion is, that no matter what is the system of imprisonment under which the convict is suffering, the authorized Visitors of our Society are bound to attend the cell and minister to moral wants. The worse the system and the condition of the prisoner, the greater the demand for visitation. The more the danger of contagion by intercourse, the more imperative the demand for our committee man.

The members of the Acting Committee of the Society understand *that*, and while they advocate the system of entire separation of prisoners, they practise the duties of visitors to the prison, whatever may be the system. The worse the system, the greater the necessity for visitors. The better the system, the greater the success of visitors.

THE ACTION.

The meetings of the two portions of the Acting Committee, which are commissioned respectively to visit the Penitentiary and the County Prison, have been regularly held, and the particulars of their proceedings been reported to the Society, and read and approved. The number of their visits to the two prisons, their intercourse with convicts at the doors of the cell, and in the cell, are faithfully recorded, and show a zealous regard for the important interests committed to the two branches, and to those devolving upon their members, with prescribed locations for their services. Some of these committee men have been enabled to multiply their visits beyond the abilities of their colleagues. They owe the frequency of their calls to favorable circumstances. But none of those who make regular reports show a less desire to be useful, nor any abatement of effort to work out the object of their mission.

The Eastern Penitentiary presents a ground for labour far more promising of a generous harvest than can be expected at the County Prison. The prisoners at the Penitentiary have a more permanent residence. They rarely receive sentence of less than a year, and usually for several years. The Visitor to whom is assigned a particular range of cells, has an opportunity of forming a close acquaintance with all the mental characteristics of his client, and to become acquainted with the circumstances of his previous life, and then to acquire, if not a control over his mind, at least the

power of rightly directing his intentions, and the prisoner soon becomes attached to one who takes such pains to do him good; and thus a mutual affection, arising in the one from a sense of benefit received, and in the other from a delight in the act of conferring. Of the two perhaps the pleasure of doing good is greater than that of receiving.

In the County Prison, especially in the male department, the opportunity of doing good is greatly less than at the Penitentiary. Very few of the male prisoners have what is called long sentences, and of course there must be frequent change that mars greatly the prospect of extensive usefulness. The good impression made on prisoners to-day will be effaced by the mockery and blasphemy of the new tenant of the cell, and no production is more easily destroyed in its incipency than the good resolve, the growing good spirit, which is created by cell labour.

Few think of the extent of the evil experienced in the County Prison from the constant influx of the newly-committed. Few, indeed, have an idea of the extent of that influx. In one week, last Summer, the number of commitments was very great, but in one day, especially, there were one hundred and forty prisoners committed to the Prison, each of whom was, by law, entitled to a cell. Each of them was put into a cell. With this constant tide, flowing and ebbing, how difficult must be the task of the Visitor.

The Female Department offers every inducement, to those who attend, for the moral good of the unhappy inmates. The number of cells is much greater than

the number of prisoners, so that separate conversation, individual dealing, is possible there, though the separate system has never been practised there in all its requirements. But much good is done; the visitation is chiefly attended to by women, several of whom are regular in their attendance and faithful in their ministrations. And good in several ways has been wrought by the intervention of those who can more readily invite to virtue by gentleness than drive from vice by vituperation.

There are cases of apparent improvement which ask the seal of time, while they warrant the hope of the Visitor. It must be confessed that from several causes less favourable results have generally followed the attempt of women to improve their lives, than have been noticed among men. An English poet has said:—

“’Tis given to woman not to sin at all,
But sinning once, to stop exceeds her power.”

No doubt the call of women to repentance is of the same origin as that to man—and from ONE who never demands that which He does not, if required, give the power to perform. It is not now in season to speak of the reason for the ultimate results of the attempt of men and women to recover position in society. Society invites men back to virtue and accepts the intention with a part of its accomplishment as a claim to welcome. Society has often seemed as if it stood with a two-edged sword to guard its entrance against the woman who, having once forfeited her position, seeks to reinstate herself. Against this

feeling the Visitors to a female prison have to contend. They cannot assure the repentant woman reinstatement, and so, place, position, being found unattainable—or seeming to be unattainable—it is not very strange that there is a relapse to error. Let it be understood that a relapse is not always willful.

We do not feel at liberty to report, minutely, individual cases of thorough change among women convicts. The bad have feelings which are entitled to some respect. Those who cease to be bad because they are trying to become good, have claims upon special delicacy toward their peculiar position, claims even upon their Visitors who, by much earnestness, may wound a delicacy that may seem morbid to others; but once wounded there is danger that the injury is irremediable. Towards all persons, but towards this class, whose dangerous situation has just been discovered, constant care and great prudence are necessary. We are told that a Grecian mother “went forth to enjoy the cool breezes from the sea, with her infant, and took her seat upon a broad, lofty rock. In a short time she discovered that her darling had crept away from her feet and was upon the very edge of a tremendous precipice. To call to the child would startle him; he would topple down the fearful plane and be lost at once in the ocean below. So the mother, fearing to utter a word, bared her breast to the wandering child, who, thus enticed, crept back and nestled in peace and comfort near the sacred bosom.”

We need not remark upon this illustration of the thoughtful and the kind. We have seen little good

resulting from vehement denunciation. We have seen much good come from patient endurance of a disturbed mind and a fretful disposition. We have lately seen one woman so depraved that blasphemy seemed only a pastime, and who rarely left prison or penitentiary without doing, before she reached home, that which secured her return. We have, we say, seen such a person spend several hours of freedom in seeking to fulfill the promises to her Visitor, and to God, of amended conduct and in contending with one overpowering habit of vice, and, though troublesome to those who aid her, yet maintaining a decent character, as it regards language, conduct, and association. There is nothing very glorious in the career of that woman, since her promise of amendment, unless it be glorious to avoid occasions of habitual sin—to seek to make even mendicity respectable in comparison with crime—and to try to make a religious profession respected—not so much by what is done as by what is not done—to show that however thorny appears the path of virtue after a course of vice, however the past may weigh upon the present, and erring judgment undervalue repentance, still there is a comfort in attempts at decency, and there is a reward at death for inclination directed, passion assuaged, and insults silently borne.

What an instance we might record, but we forbear. Some, who knew and condemned the querulousness of the present, did not take time to compare *that* with the blasphemy of the past. We are not all wholly changed—we see in part and we know in part.

In England several volumes have been published purporting to contain the professional experience of keepers and matrons of prisons. They are exceedingly interesting, and if not wholly true, of which there is no reason to doubt, they are so like experience in this country, that we love to consider them as records of real experience, and we have sometimes thought that observations which we have made, notes that we have taken, and experience which we have had, would furnish matter of deep thought to those who take interest in prison management, prison discipline, and in the improvement of prison inmates. There may be a time for that hereafter ; but in the meantime we may say, that those who find the human heart a subject of thought, and the source of human action worthy of deep inquiry, may know that much may be learned at the door of a cell, or in confidential and, we should add, affectionate conversation with the inmate. "The proper study of mankind is man," and a convicted felon does not cease to be a man. His experience makes him instructive.

The Society for Alleviating the Miseries of Public Prisons is represented by an Acting Committee, composed of about sixty members of the Society. To this Acting Committee is referred the general doings of the Society, excepting such matter as may not be devolved upon a committee, as the election of officers, appointment of acting committees, etc. The "Acting Committee" is subdivided into two committees. One for action at the Penitentiary, and the other for visitation to the County Prison. And for each of these com-

mittees there is appointed an Agent whose duty it is to receive instructions from the respective committee, and to be the executive officer of that committee.

PENITENTIARY.

The Committee from the Acting Committee of the Society, upon whom is devolved the duty of visiting the Penitentiary and attending to the moral wants of the inmates of that prison while they are inmates, and looking to, and seeking to supply, all the wants of convicts about to be discharged, are more numerous than the other Visitors of the Acting Committee, and find a better field for the labours that are assigned to them than does the Committee to the County Prison. The culture is easier, because the labour is uninterrupted, and hope, the great stimulant of self-sacrificing effort, is abundant.

The Eastern Penitentiary is occupied by prisoners from the Eastern Counties of Pennsylvania, many of whom arrive in a state of almost nudity, or so filthily clothed that their ragged garments are immediately consigned to the fire, as only the *human* wearer of those clothes is condemned to the cells. The other occupants are not recognized in the commitment, though obvious on their arrival. The Committee seek by the judicious stationing of their members to secure good moral instruction to the Penitentiary prisoners. An instruction which includes religious teaching ; never denominational unless specially desired by the convict,

but then promptly and fully supplied. How much good results from these frequent visits, the kindly enforced lesson, it is impossible to say. We know of much good that is professed and we believe that the amendment of many is permanent and progressive, and we cannot doubt that words fitly spoken by the kind Visitor—though those words may, for a time, be inoperative—will germinate and bring forth fruits more gratifying to the friend of the friendless, though perhaps the patient Visitor may never learn of the golden harvest which has followed slowly, but fruitfully, his careful seeding.

The Visitors make return to their own Committees of the visits which each has made to prisoners at the doors of their cells, and in their cells. The number of these visits is reported to the Acting Committee at the monthly meetings, and the Acting Committee report all those to the Society at each Quarterly Meeting.

The number of visits is reported ; but not the effect of the visits upon the convict. It may be that the unhappy criminal may not deem it best to yield to the instructions and invitations of the Visitor ; he may turn his back upon his friends in dogged silence, or turn his face towards them to insult and abuse them. The Visitor does not report these rebuffs ; he knows the character of the prisoner, and he knows that often this mode of avoiding instruction is the suggestion of a depraved mind, or the teaching of a false pride. Affection then has to hope—worse than he have been improved, and more than one denial has resulted in a tardy acceptance.

The Visitors do not specially report cases where a prompt and apparently willing yielding is manifested in the visited prisoner. How weak are some, who mean well, in the profession of amendment is known to the Visitor. How liable to be broken are all promises to avoid wrong the Visitors understand, and while it is their duty to treat the hardened as if they were capable of amendment, it is no less their duty to treat those who are softened by their pleading as liable to err again. The Committee have a well-defined field of duty, and we may safely say that they do not shrink from the performance of all requirements. The field is well,—conscientiously, cultivated. We repeat that the Committee on the Penitentiary cannot say how much good they have done and caused to be done.

This Committee has, until lately, been furnished with some funds, appropriated by the Legislature of the State, for the purpose of aiding discharged prisoners; to supply their wants for a little time, to aid in supporting them while they are out of employment, or to pay their passage from the Penitentiary to their homes in another County. Many of these discharged convicts have received the means of procuring tools to prosecute some mechanical calling. And the means supplied by the Committee and those by the Legislature of the State have been faithfully and economically administered by the Agent. We regret that we are compelled to add that the sum furnished by the State, for a few years, has of late been withheld—withheld, too, by the vote of Representatives of Counties which send large numbers to the Eastern Penitentiary

to receive advice and moral care while they are in the cells—and to receive additional aid in money and clothes from the Prison Society on the expiration of their sentences.

We look to the action of our agents as exponents of the duties and performance of the committees, and we subjoin here the Annual Report of W.W. Walters, the Agent for the Penitentiary.

REPORT OF THE AGENT OF THE EASTERN PENITENTIARY.

I respectfully submit herewith the Report of my labors among the discharged prisoners of the Eastern Penitentiary, for the year ending December 12, 1879.

The total number of prisoners discharged during the year was four hundred and twenty-two. Of these there remained in the City one hundred and eighty-three, and the remainder, two hundred and thirty-nine, went to homes or their friends in the country. Of those desiring it I accompanied to the depots, and procured tickets for eighty-five.

I obtained half-fare for forty, and work for ten. I furnished to those discharged from December 12, 1878, to December 3, 1879, 43 pairs of shoes, 55 hats, and 455 pieces of clothing. The clothing belonging to six of these prisoners was good. The decrease this year in the clothing, etc., furnished the prisoners, is due to the fact of my discontinuing to furnish after March 12, 1879, the Prison authorities then attending to this necessity. I have this past year by personal solicitations prevailed upon the authorities of two of our principal railroad companies to grant the favor of half-fares for all the prisoners, in sending them to their homes in the country, thus giving the prisoners the advantage of a small sum of money additional for their start in the world.

I have made many visitations among the prisoners, aside from those which required my assistance, upon the termination of their imprisonment, and have endeavored to impress upon their minds that they are not beyond the pale of forgiveness from God, or the sympathy of good and just men ; that an honest and God-fearing Society is ready to extend to them the warm hand of fellowship and welcome, as soon as their acts of repentance have shown that they are worthy of it. And I have not only shown them how they may amend, but as far as lay in my power have, on their release, afforded them assistance whenever I saw promise of improvement.

I have in my own heart the assurance that my labors in this vineyard of the Lord are not unrewarded. My visits have invariably been received with thanks and kindness, and I am assured in saying that the sympathy which I have manifested in their cases, and the confidence which I have secured, have, in many cases, enabled me to instill in their minds an abhorrence of their offence and a desire, as many have expressed it, to yet make an honorable name and record in the world.

My labors for the past few months have received material assistance from the fact of there now being sufficient employment for all the prisoners. Not only has this made itself felt by the increased harmony and good will between the officers of the Institution and the prisoners, but I have been more impressed of its benefits by the improved state of mind in which I find the prisoner who is working, over the one who is idle.

The effect of my counsel to these may be fitly illustrated by the "seed which fell among stony places and that which fell in good ground." The position of the prisoner who has no work and nothing with which to occupy his mind, is almost beyond comprehension ; we may give the same advice, we may advance the same arguments, but his mind is not in a proper condition to receive. He broods over his supposed or imaginary wrongs, and it seems almost impossible for good counsel or advice to take root deep enough to "bring forth fruits meet for repentance."

Let us hope that the prosperity of our Country will continue to furnish labor for all, and that no mistaken idea of the injury which convict labor does to our laboring classes may ever in-

duce our law makers to take from those that are deprived of their liberty that labor which benefits not only them in many ways but all society, by decreasing the expense of supporting our criminal classes.

My labors have been not only appreciated but productive of benefit to those who are still imprisoned, as well as those who have been discharged. I am often called by the inmates of a cell, as I am passing through a block, and the thanks which I receive would serve as an incentive to still further exertions, did I need one, and I am constantly in receipt of letters from those I have helped on their discharge, which express their gratitude for the assistance I was enabled to render them, either in procuring them situations or helping them to homes of their own, where they would be comfortably provided for. I have found a great difficulty in procuring situations in the City for recently discharged prisoners. Very few will take in their employ one without a recommendation from a previous employer, much less if known to be a discharged criminal, and in such cases where I have been unsuccessful in procuring employment here, I have generally secured enough money to send them where they were unknown, and allow them a small surplus to support them until they could obtain work, without a return to a criminal life.

A young man who was recently released was left an orphan at an early age, and thus thrown upon the world with no one to care for him. He drifted into bad company and was at last placed in the House of Refuge. When released from there he was no better, and was soon sentenced to a term in the Penitentiary. I visited him frequently, and found hopes of improvement in him. Upon his discharge he came to me and evinced a determination to try and live honestly. I have tried without success to obtain a situation for him in the City, but am now in hopes that I shall soon succeed in providing him a good home in the country. In another recent case I was more successful. This man I had been acquainted with several years, while he was in prison. He behaved properly and seemed heartily sorry for the crime he had committed, and determined to live a different life. I placed a great deal of confidence in his repentance, and upon his release he came to me, and

after a few weeks I succeeded in obtaining work for him, and to the present time he has conducted himself properly and is doing well. Let us hope that it is "one more brand plucked from the burning." In another case there was a man who had been in prison at different times for several years. He visited me to obtain him employment, and I helped him into a business in which he was not successful. Upon being applied to again I established him in another business, in which he also failed to make a living. He was quite an old man, and I thought it best to procure him a place in the country, which I succeeded in doing, and he is now there in a good home.

Still another case of three colored men who came from Virginia, arrived at Harrisburg, and were there arrested, and received two years each, for stealing chickens. They were almost ignorant that they had committed a crime, but our Visitor's influence created a change in their hearts, and one of them devoutly expressed a wish of being able to preach the Gospel to his colored brethren. I sent them all away where they got work, and when I last heard from them they were all doing well.

In the case of a sailor who was discharged some time ago, I have assisted to a berth on several occasions. Once on a voyage around the world; and I have also enlisted him, with his consent, in the navy and marine corps. He invariably comes to see me at the expiration of his term of service, and by thus helping I have prevented him from indulging in the commission of new crimes, and incurring further imprisonment.

A woman who is now an inmate of the prison, was left a widow with one little girl. Her husband left her \$1,100. She soon married again, and her second husband prevailed on her to sign a check for fifty dollars. Instead of drawing the fifty dollars, he made it for the whole amount, and then left her destitute, without money and without friends. She committed a crime and was sent to prison. I visited her and found her nearly crazy about her child, which had been taken care of by a woman who kept a liquor saloon, and she wanted it taken away, as she had heard the woman was teaching it to drink liquor. I hunted until I found the child, and upon showing my authority, was allowed to take it away. I

took it to my own home until I was successful in finding a place to board it, where it will receive proper care until its mother will be released to claim it.

Another case of a young man who was from the country, and was discharged last March. He was a wild youth and got into trouble, and finally was sent to prison. Upon his release I sent him home, and some little while afterwards a relative died, leaving him some money. He immediately started in business and has just been down to the City to purchase goods. The prospects are that he will now do well.

These are but a few of the cases which I could enumerate, would space permit. Scarcely a day elapses but that some interesting case of a kindred nature comes before me. The number of cases in my Report, in which I have assisted discharged prisoners to their homes, or in other ways, gives but a faint idea of the results of my labors.

I have endeavoured so to extend my assistance as to place each one in such a situation as to preclude the necessity of returning to a criminal life as a means of livelihood.

I fully appreciate the responsibility that rests upon me, and I have endeavored, to the best of my abilities, to discharge my duties faithfully.

I have received invaluable assistance from the kind and courteous officers in charge at the Penitentiary, as well as from the officers and members of this Society, for which I am grateful, and with the hope that my labors may meet with the approbation of all with whom I am connected, I remain,

Yours truly,

WILMER W. WALTERS,

Agent.

It is not for us at this stage of our Report—it will not be in season at any time, to remark upon the labours of the Agent of the Society who is employed in the work at the Eastern Penitentiary. He is not in

his character of Agent, a *Visitor* of the Society. He is not a moral teacher, and his business is not found in labour prescribed for those who go from cell to cell to teach. The Agent at the Penitentiary is required to know what convicts are about to be discharged on the termination of their sentences. He must see them, and ascertain their wishes, whether to return to their former homes, or to take employment here or elsewhere. He must seek to know which course would really be best, and he must ascertain also what means they may command, either to pay board while seeking employment here, or to pay for passage and food while returning to their former home.

In doing all this he is brought into close relations with the prisoner. He ascertains the state of his mind, the strength and extent of his resolves, and his capability of resisting temptation, and of pursuing a legitimate path, of discharging duties to his friends, and sustaining himself, and in this position is almost naturally a moral teacher. He can apply advice directly and specially; he can direct with regard to all circumstances, and apply with his provided means for physical good, that instruction, that exhortation, and that advice which will be suited to the peculiar circumstances of his client; for let it be understood that there is with each prisoner a peculiarity of taste, condition, and hope, that make necessary and useful a special personal dealing. In that state the Agent can, and we believe does, make himself useful in aiding the discharged prisoner to comprehend his present conditions and prospects,

and to prepare him by advice and means to meet the new condition into which he is about to enter.

Nor is that all. There is a duty of the Penitentiary Agent, not merely to advise, caution, clothe, and send forth, the discharged convict, but to see that in the first days of freedom and responsibility he falls not on the way. The Agent is, for a time, a sort of Providence to the discharged convict. He is the *one* to whom, in sudden difficulty, he is to turn. He is the one to whom, in moments of deep mortification, the client is to look for moral support. When suspicions and insults haunt the discharged—when they stand in the way of immediate progress—he may, and does, often turn to the Agent for advice and aid, and learns then that the arms of the Prison Society are stretched for good, and that while they protect in seasons of incarceration they defend in hours of assailed freedom.

We ask attention to the simple statement of the Agent for the Penitentiary. It shows in what direction are the good intentions of the Society, and shows to what extremity they are even now carried, and how much further and effectually they may be exerted when means are provided to accomplish an object that must be included in the list of philanthropic work.

It is gratifying that we find among ourselves such evidences of the capabilities of good which our Society in its present organization possesses, and how beneficially those capabilities are employed.

COUNTY PRISON.

The Agent of the Society for the County Prison has a mixed and often a vexatious task. His duties commence with the first arrest of one charged with offence, charged with any violation of law beyond simple drunkenness or vagrancy. For the convicted drunkard a fine or twenty-four hours imprisonment is demanded by law, and that being a sentence it may be fulfilled at any time within the twenty-four hours. The payment of the fine will cause the imprisonment to cease. And the endurance of the twenty-four hours imprisonment will avail, of course, to save the payment of the fine. The services of the Agent of the County Prison are not called for in the case of simple intoxication. Though it cannot be denied that the unhappy culprit, especially if a woman, is often tempted into a use of her tongue that calls from the Magistrate an additional sentence for breach of the peace by abuse, so that the interference of the Agent may be solicited.

The services of the Agent of the County Prison have been so long and successfully rendered as to identify him, in certain cases and with certain persons, with the Prison. And the old offender from habit, and the newly committed by instruction, as soon as they find the key of the cell turned upon them, institute the inquiry:—"Where is Mr. Mullen?" And Mr. Mullen, followed by his clerk, in due time hears the appeal, takes note of the circumstances, and by consultation with the Magistrate makes himself acquainted with the character of the offence, and of the offender. In

due time his exertions are recognized by the Magistrate, and become generally successful, if the case be one not returnable to the prosecuting officer.

It may be remarked that Mr. Mullen's unfortunate clients resort to him generally as if all power was in his hands, and even when the case is concluded in the Court, and the prisoner pronounced guilty, and is sentenced to some months imprisonment, she (for the females are more hopeful and trusting) sends for Mr. Mullèn to have her time shortened; and though told that the Judge has decided, she seems oblivious or ignorant of the powers of the Judge, and asks Mr. Mullen to—

“Snatch from his hand the balance and the rod,
Re-judge his justice.”

And even in such cases where there is a little “after discovered” testimony favourable to the convict, or the plea of sickness, present or approaching, numerous children and a husband at home, and good conduct to be pleaded, the Judge considers less the letter than the spirit of the law, and saves the family from great suffering by restoring the mother to her place and duties, the pledge of amendment being given.

The Judges of our Criminal Courts are gentlemen who act from a belief that in the criminal law it is “the letter that killeth, the spirit that maketh to live,” and as such they become ministers of qualified mercy.

Subjoined we give the Prison Agent's Report.

WM. J. MULLEN'S REPORT.

PHILADELPHIA, *November 24, 1879.*

I herewith present a statement of the number of persons that I have caused to be released from our County Prison within the past year; accompanied by some particular citations. They were all Court Cases, and were released with the consent of the proper authorities, and in most instances with the consent of the prosecutors.

The whole number of prisoners released through the interference of the Agent, from November 24, 1878, to November 24, 1879, was (2,126,) two thousand one hundred and twenty-six. This was done at a saving to the tax payers of (\$26,043 50,) twenty-six thousand and forty-three dollars and fifty cents, which amount would have been expended for the ignoring of their cases, and their maintenance while in prison.

The amount of the prisoners' money expended as costs in the settlement of their cases, which was paid to the Magistrates and others, was sixty-two dollars and forty-five cents, (\$62 45). There have been 975 letters written within the past year for prisoners to their friends.

The whole number of prisoners released through the interference of the Agent within the last twenty-six years, since the commencement of the agency, amounts to forty-seven thousand seven hundred and sixty-three, (47,763).

Please find annexed a statement of some of the cases, as taken from the Agent's Journal within the year.

All of which is respectfully submitted for approval.

WILLIAM J. MULLEN,

Agent.

LIST OF CASES OF THE PRISON AGENT FOR 1879.

NUMBER 1 :—Was the case of a respectable colored woman, who was imprisoned upon a *capias* issued by the Sheriff, upon the charge

of "Slander." She got into the difficulty by having a quarrel with her neighbor, who abused her; she boasted to her prosecutor that she was a decent woman and a member of church, and she would not talk to an ——— thing like her, using a vulgar epithet. She then went into the house and shut the door. Her prosecutor then employed counsel, who took out a Sheriff's writ and imprisoned her, and separated her from her little child, eighteen months old. The distress of the child in consequence of having been separated from the care and attention of its mother, caused it from neglect to go into convulsive fits from which it died.

The Agent supplied her with counsel, and applied to the Court to have her released upon bail, which afforded her an opportunity to be discharged from prison to see to the burial of her child. Her release was attended with the expense of one dollar, which was paid by the Agent from the Society's funds to the Prothonotary of the Court, the husband being unable to pay anything. Since the death of the child the prosecutor has been seen, and has agreed to a settlement of the case.

NUMBER 2:—Was that of a poor woman who was imprisoned upon the charge of "Breach of the Peace and Fighting," an offence of which she said she was not guilty. She was the mother of four little children, two of whom were sick at home with scarlet fever, and were suffering for the want of a mother's care.

The Agent went to the Magistrate and procured her release from Prison, and she returned to her home and cared for her children.

NUMBER 3:—Was the case of a poor man that had been committed to prison upon the charge of "Misdemeanor," which consisted in throwing a load of ashes upon the pavement. The Agent ascertained that he was not guilty, and that the offence had been committed by some mischievous young man, at a time when the prisoner was temporarily absent from his horse and cart. He was a poor man, and had four little, motherless children to care for, his wife having been deceased but three weeks. The Agent procured his release from Prison, and he went home and cared for his little ones.

NUMBER 4:—Was that of a young man, of temperate habits, committed upon the charge of "Assault and Abuse." His father testified that he was guilty and insane. The Agent procured the services of the Prison physician, who, after a careful examination of the prisoner, decided that he was not insane, and that he was in good health.

The Agent ascertained that his offence consisted in his eating heartily, which his father found too expensive, and the main object of his imprisonment was to put the expense of his support upon the County, the prisoner being unable to obtain employment. The Agent procured his discharge.

NUMBER 5:—Was the case of a respectable poor woman, who was wrongfully imprisoned upon the charge of "Malicious Mischief," which consisted in her breaking a pane of glass, at a time when she was resisting a Constable from distraining her goods for rent she did not owe, she having rented apartments from parties who were in arrears.

They seized upon the prisoner's property for an indebtedness she had previously paid. The Agent went to the Magistrate, explained her case, and procured her prompt release.

NUMBER 6:—Was the case of a poor colored girl, who was committed to Prison by the United States Marshal for passing a counterfeit dollar. As she was unable to read, and was not conscious that the dollar was counterfeit, and had taken it in change in good faith, the Agent saw District Attorney Valentine, of the United States District Court, and supplied her with counsel, who explained her case, and the result was her acquittal by the Court. The prosecutor became satisfied that she did not pass the dollar with a guilty intention.

NUMBER 7:—Was that of a man committed upon the charge of "Wife Desertion," his wife being of the opinion that the Guardians of the Poor would support her and her children if the husband did not. She caused him to be arrested and imprisoned by the authority the Guardians of the Poor. When she learned she could not receive any assistance from the Guardians unless she went to the

Almshouse to live, which she did not want to do, she came to the Agent and begged him to interfere in her behalf, and have her husband released from Prison, as he was a good mechanic, and could earn fifteen dollars per week if he had employment given him.

His employer was seen and was persuaded to give him sufficient work to enable him to support his family; the Agent became security for him, and saw that he was released by the Magistrate with the consent of his wife.

NUMBER 8:—Was the case of a poor old woman who was committed to prison upon the charge of the larceny of a pint measure, of but little value; her first offence. The Agent saw the District Attorney, explained her condition, supplied her with counsel, and saw that she was released from prison.

NUMBER 9:—Was that of a respectable young man, committed to Prison for "Larceny." He was a resident of New York, here on his wedding tour, and was stopping at a hotel with his bride. He had been married but two weeks. Some articles of jewelry had been stolen in the hotel, and as he was a stranger it was thought that he might have taken them. As there was no proof that he had taken anything, the Agent supplied him with counsel, brought him before the Court on a writ of *Habeas Corpus*, and saw that he was honorably acquitted.

NUMBER 10:—Was that of an insane man, who was tried, convicted, and sentenced to an imprisonment of six months, upon the charge of the larceny of a watch, of but little value, that he took from a pawnbroker's, at a time when the owner was offering it in pledge. The Agent made an application to Judge Thayer to reconsider the sentence, and grant him a new trial, for the purpose of proving that he was insane, and that he was not accountable for what he had done. When a certificate was presented to his Honor, signed by the Prison physicians, the application was successful, and a new trial was granted. The Agent supplied him with counsel. His insanity was fully established to the satisfaction of the jury before whom he was tried. The Agent then asked to have him sent to the Insane Asylum at Danville, Penna., which was accordingly done,

where he will be supported at an expense to the State, instead of being confined in Prison.

NUMBER 11 :—Was that of a young man of good character, who had an intelligent wife, the mother of an infant three weeks old. The prisoner was out of employment at a time when he was in a destitute condition, and was on the verge of starvation, as he said. He became desperate, and went into a jewelry store, and asked the proprietor of the establishment to show him some gold lockets. When the articles were placed before him by the owner, the prisoner endeavored to conceal one of the articles with a view of disposing of it to get food for his wife and child. Before he had done this, he had commenced suit against his former employer for wages due him, for previous services, that he was entitled to. If this money had been paid him as it ought to have been, he might have been saved from committing the crime he was imprisoned for.

Your Agent supplied him with counsel who succeeded in having him acquitted by proving his previous good character, and requiring his former employer to come into Court and testify to the fact that he had refused to pay him the amount that was due him. A benevolent lady who pitied the prisoner's wife and child, took charge of them, and offered to provide for them until your Agent obtained the husband's release from Prison. A lady that had heard of the case, placed in the hands of the Agent the sum of two dollars, which was given for their relief.

NUMBER 12 :—Was the case of a woman committed to Prison upon the charge of the larceny of some coats that another woman had taken out from a tailor in her name. The Agent supplied her with counsel, and saw that she was acquitted of the charge, and the guilty party held to be prosecuted for the offence.

NUMBER 13 :—Was the case of a small boy that was committed to Prison upon the charge of the larceny of some coal that he had taken off the track of the Philadelphia and Reading Railroad Company. It was taken at a time when the weather was very cold, and his parents were without fuel. The Agent's interference in his be-

half procured his release from Prison, with the consent of the prosecutor.

NUMBER 14:—The cases of two poor women that were imprisoned upon the charge of the "Larceny of Cabbage." Each had a family of children that were suffering for the want of food. The cabbage was estimated to be worth six cents, and they had taken it from the market place. The Agent's interference in their behalf procured their prompt release from Prison.

NUMBER 15:—Was that of a young man upon the charge of "Homicide." He got into the difficulty by a quarrel he had with a man. He struck him with his fist in a moment of excitement. The effect of the blow caused the deceased to fall, at which time he was so seriously injured as to cause his death. At the request of Inspector Chandler, the Agent supplied the prisoner with competent counsel, who succeeded in satisfying the Court and the Jury that he ought not to have been convicted of murder in the first degree. He was convicted of "Manslaughter," and was sentenced to one year imprisonment in the County Prison. His sentence was dated from the time that he was first committed for trial. By this sentence he is required to serve but eight months from the time of his sentence. His previous character was good, with but few exceptions of "Breaches of the Peace" while serving the City as a Fireman.

He has a blind brother that is in the Asylum for the Blind; his family is respectable, and have tendered their thanks to your Agent for his services in their brother's behalf.

NUMBER 16:—Was the case of a young girl, one of four prisoners that had been convicted upon the charge of "Larceny and Housebreaking." The Agent ascertained, upon a careful investigation, that this girl was entirely innocent of what she had been convicted of, and that she was the victim of a bad man that was respectably connected. He had gone to New Jersey, where she lived, married her, and obtained of her fifty dollars which she had earned at service, where she was then living. He brought her to this City to live with him, as he promised, at the house of his

respectable parents. Instead of doing this he took her to a house occupied by thieves, and while living there, her husband, in company with two girls, committed the robbery, for which they were convicted and sentenced to an imprisonment of eighteen months each. As it was not shown that this prisoner had done anything that was wrong, and that the robbery had been committed by her husband and others without her knowledge, the Judge refused to sentence her, and consented that she might be released and taken charge of by her husband's parents, who expressed considerable sympathy for her. She will now have an opportunity to apply for a divorce, and be separated from the man who has deceived her.

NUMBER 17 :—Was the case of a woman that was imprisoned with her child, a babe aged about twenty months. She had been committed upon the charge of being a "Common Scold." As she was sick and was about to give birth to an infant, the Agent, at the request of Inspector Chandler, interfered in her behalf, and became bail for her, and in this way procured her prompt release from prison, and allowed her to return to her home.

NUMBER 18 :—Was the case of a German woman upon the charge of "Malicious Mischief and Assault." The Agent drew the attention of Judge Allison to her condition, and asked that she and an insane man be sent to the Danville Insane Asylum. The Prison Physician had testified to their insanity. The Agent's request was complied with.

NUMBER 19 :—Was that of a Christian man that married a Jewess. As her parents were very much displeased at the marriage, they showed their dissatisfaction by taking from her the diamond earrings that they had given her before she was married. As the lady considered they were her property, she asked her husband to go to her mother's bureau drawer and take the diamonds and return them to her. As he believed his wife had a right to the articles, he took them from the apartment of the mother. For this he was sentenced to an imprisonment of six months. The Agent supplied him with counsel, and saw that his sentence was re-considered and reduced to three months. This was done with the consent of the prosecutor, who regretted having brought the prosecution.

NUMBER 20 :—Was that of a young girl, who was committed to Prison upon the charge of the larceny of a lamp, valued at fifty cents. As it did not appear that she was guilty of the charge, she was acquitted through the Agent's interference.

NUMBER 21 :—Was the case of a small boy, upon the charge of the larceny of a board, of but little value. At the request of Inspector Warren, the Agent saw the Magistrate, and had his case returned to Court, after which he was discharged.

NUMBER 22 :—At the request of Judge Allison, your Agent took charge of a warrant upon the City Treasurer, for the sum of \$83 00, which was due a prisoner for witness money, in the case of the Fletcher homicide. As the prisoner was a pauper, and of intemperate habits, and was an inmate of a station house where the murder was committed, the Judge delegated the Agent to act as the custodian of the prisoner's funds, and give it to him at intervals, to meet his pressing necessities, instead of giving it to him to spend for intoxicating drinks. The Judge's request was complied with by the Agent, who saw that the money was properly expended for clothing, and the necessities of life.

NUMBER 23 :—Was the case of a poor man who was committed to Prison upon the charge of the larceny of a coat, valued at \$3 00. While he was detained in Prison to await his trial, his child had fallen into the fire and was burned to death. The Agent informed the District Attorney of the prisoner's distressed condition, after which the case was promptly disposed of, as there was no evidence that he was guilty of the charge that had been preferred against him three years previous. The law required that the charge should be brought within a period of two years. The Agent supplied him with some money, and saw that he was promptly discharged from Prison.

NUMBER 24 :—Was the case of a small boy, upon the charge of the larceny of a broom. Your Agent interposed in his behalf, and saw that he was promptly released from Prison.

NUMBER 25 :—Was that of a seaman, upon the charge of having

a pistol in his pocket. He made no denial of the fact. As he did not use it, or harm any one with it, the Agent asked Judge Hare to refrain from sentencing him, on the condition that he would have him sent to sea. The application was successful, and he went, at a salary of fifteen dollars a month.

NUMBER 26 :—Was also the case of a sailor, upon the charge of "Larceny as Bailee." Judge Hare requested your Agent to have him shipped, which was complied with. The Agent obtained him a situation as Steward, for which he will receive good pay for his services. The difficulty occurred by pawning some articles that had been given him, which had been stolen. In view of these facts, together with his previous good character, the Judge showed his sympathy.

NUMBER 27 :—Was the case of a poor woman, upon the charge of "Breach of Peace and Threats." She was the mother of four children, one of whom was an infant but three weeks old. The Agent went to the Magistrate and procured her release, she having been detained in Prison but a short time. This prompt interference of the Agent prevented much suffering that would otherwise have taken place for the want of a mother's care.

NUMBER 28 :—Was that of a woman who was committed to Prison upon the charge of being a "Common Scold." The Agent became bail for her appearance at Court when wanted. When it became necessary to bring her into Court for trial, the Agent supplied her with Counsel who informed Judge Hare that her infant was in a dying condition, and it would be cruel to take her from her home under such distressing circumstances. The Judge requested her to go to her home, and attend to her child, with the understanding that she would leave the neighborhood where she was living.

NUMBER 29 :—Was the case of a poor woman and her daughter, who were committed to Prison upon the charge of the larceny of a pair of pants and a vest, that had belonged to a boarder where the daughter was a servant. There were other persons in

the house that must have taken the articles. They were arrested upon a mere suspicion, without any proof that they were the guilty parties. The Agent's interference in the case caused them to be promptly released, they having been in Prison but two days.

They were respectable persons that had never before been accused of doing anything wrong. The mother was in no way connected with the case.

NUMBER 30 :—Was the case of an insane colored woman, who had been committed to Prison upon the charge of "Breach of the Peace." Her insanity consisted in stripping herself of her clothing and going about among her neighbors in a naked condition. Your Agent procured a certificate from the Prison Physicians certifying to her insanity. He then presented a formal communication to the Board of Guardians that the woman be admitted into the insane department of the Almshouse. The application was unsuccessful. It was returned to the Agent, with a recommendation to apply to the Court to send her to the Danville Insane Asylum. When the Court was informed of the state of the case, Mr. Hagart, the District Attorney, promised to have her sent to the Danville Insane Asylum, which was done.

NUMBER 31 :—Was the case of an industrious woman, who was the mother of two children, who was committed to Prison upon the charge of "Assault and Battery," she having thrown scalding hot water upon her prosecutor, at a time when he had entered her premises, and attempted to commit a rape upon her person. The Agent ascertained that she was a respectable, honest woman, who worked in a mill for the support of herself and children. He went to the prosecutor, and informed him, in unmistakable terms, that if he did not go to the Magistrate and pay the costs, withdraw the suit, and release the woman from Prison immediately, and allow her to return to her home and see to her children, that were in charge of the neighbors, he would immediately proceed against him, and have him arrested and imprisoned upon the charge of attempting to outrage the person of an honest woman. All this he consented to do if she would sign a paper, and take an oath that she would not prosecute him after she was released.

These conditions your Agent would not consent to, but the case was promptly withdrawn, the costs paid by him, and the prisoner released, and left free to prosecute if she pleases. She was in Prison two days.

NUMBER 32:—Was the case of a seaman, upon the charge of "Breach of the Peace and Fighting." As his vessel was about to leave the port, and he was likely to lose his situation and pay, the Agent saw the Magistrate and obtained his release in time for him to leave with his vessel. He got into the difficulty by the too free use of strong drink.

NUMBER 33:—Was the case of an insane man, upon the charge of "Breach of the Peace and Drunkenness." He inherited his insanity from his father, that the Agent took from the Prison fifteen years ago to the Insane Asylum at the Almshouse.

The Agent saw that he was released from Prison and taken charge of by his guardian, and placed in an insane asylum.

NUMBER 34:—Was the case of two young boys who were accused of stealing flowers from a garden. As they were of good character, and had respectable parents, and as they had only taken a flower, the Agent interfered in their behalf, supplied them with counsel, and saw that they were acquitted. There was a suspicious circumstance in their case, aside from the taking of the flowers, that would have proved very disastrous to their case, if it had not been properly explained to the Court. This circumstance was that one of the boys was in possession of twenty keys that were found in his pocket at the time of his arrest; this fact seemed to indicate that he had them for burglarious purposes. The Agent caused the boy's employer to come into Court, and prove that she kept a junk-shop, and had given them to the boy to accompany a lady to fit a key to her door. After this explanation they were acquitted of the charge.

NUMBER 35:—Was the case of a respectable woman who was a resident of Germantown, that had been committed to prison upon the charge of being a "Common Scold," and having threatened to set fire to a stable. There were many witnesses that testified

against her. The Agent supplied her with counsel, who succeeded in proving by her accusers that she was a harmless woman, of unsound mind, who spent much of her time in talking to herself, and was overheard to say what she would do to injure her neighbors. The jury having become convinced that she was a weak minded woman, found her not guilty; after which Judge Yerkes kindly consented that she might be released from custody, upon the condition that she would move away from the neighborhood where she was living. She had a good husband and four children.

NUMBER 36 :—Was that of a feeble minded young girl that had been committed to prison for "Larceny." She had been an inmate of a boarding school in the West, where she was being educated to be a school teacher. She was in poor health, and was subject to fits of somnambulism. In consequence of this affliction she had to leave this Institution, and came to this City and sought employment in the house of a respectable family. She informed her employers of her infirmities, and begged them not to place anything of value in her way. During one of her fits of somnambulism, she picked up some articles of clothing and carried them off. The Agent supplied her with counsel, and saw that her case was properly explained to the Court, after which she was acquitted and released from Prison.

The Report of the Prison Agent is somewhat *in extenso*, more perhaps than would seem consistent with the limits which we are compelled to prescribe to this general report, containing all that we may say in a year. But the Agent's Report is an exemplification of the works of the Society—for *qui fecit per alium fecit per se*, so that what Mr. Mullen has done in the name of the Society, if well done, the Society has done; and we

know from observation that much of his work has been well done, and that of which we know so much, seems to justify the assurance that all is right.

We do not pretend to say that some of the persons whose freedom Mr. Mullen has procured did not deserve punishment of some kind, but so far as we can judge, the great ends of justice were rather promoted, than defeated, by their release. Legal punishment should not, like the artful tinker, continue to make every exercise productive of another offence. Public good is not promoted by the lengthened detention of an offender from a family. Imprisonment is usually disgraceful ; its protraction may be cruelty. The man or woman whose spirit is broken down by excessive punishment may never regain a position in which to do good to the family. But the released offender may at any time be returned to the prison if he should deserve it. Not much is gained to public honesty by closely following up with heavy sentences those who have been charged with misdemeanor. The act of arrest—the fact of imprisonment, might be made the occasion of amendment without the imposition of a sentence that fixes the disgrace. We admit, then, that in some cases Mr. Mullen has procured the release of persons justly charged with offences—but we do not admit that consequently he has promoted a public wrong. We do not know all the accused whose release he has procured before trial, but we do know some who, though culpable, have, by their release, been led to a reformation of life.

It is proper here to state what seems not to have

struck some who criticise and condemn the efforts of the Prison Agent to procure the release of persons charged with offences, *viz.*, that the Prison Agent has no more authority or power to liberate a prisoner, even upon the lowest charge, than has any other citizen not in judicial position. The Agent *procures* the release of persons whose cases would be returned to the District Attorney, and by him handed to the Grand Jury. The act of liberation is performed by the Magistrate that committed the prisoner. The Agent presents the case to the committing Magistrate with any new testimony that may have offered itself. But the peculiar circumstances of the prisoner, in health, condition, and family dependents, are made the theme of his eloquence with the Magistrate, and the success that attends his interference shows that he must have been eloquent, when often it happens that as a result of his labours, not only the Magistrate consents to the discharge, but the very prosecutor manifests his willingness to settle the difficulty, by going down and paying the costs, and witnessing the liberation of the prisoner. This is certainly a triumph for the Agent, and is a beautiful illustration of a part of his good works. It is perhaps a less gratifying result of his official interference, to find the occasion for invoking mercy a second time for the same prisoner, and probably from the same Magistrate. But it is worthy of note that the Magistrate and the Agent are rarely the most bitter in their denunciation of the offender who so soon returns to evil ways. The truth is those two officers know better than others the condition of the persons with

whom they have dealings, and do not expect exact propriety in their conduct, nor do they believe very heartily in the professions of repentance which are so readily made.

The professor in any public institution—the Alms-house, for example—knows why he receives appointment too well to be startled at the appearance of a diseased person, and he knows too well the character of that patient to be startled at his re-appearance in the hospital. He knows that though he may have failed to produce a radical cure at the first curing, yet he feels that he is not the less bound to try to effect a cure how often soever the erring man may present himself. The man who goes often to the public hospital may at last acquire health and reach old age. The offender who is committed frequently to prison may, in the end, fulfill a good promise of amendment, and attain to respectability. A man must be very bad in health when the physician will be justified in withholding advice and withdrawing medicine; and anybody, man or woman, must have gone far down, when sunk below the hopes of friends and the Mercy of God. Those hopes and that mercy are to encourage the cell inmate—as they are to stimulate the direct labours of the Official Visitor.

We have hinted that more than one reformation, many improvements, have been produced by the direct operations of those appointed by our Society to do that great work—we have referred already to one or two such cases—we could point to many—but *one* establishes the principle. One person turned from the error

of his way is regarded by Scriptural estimate as of infinite importance. One woman reformed whose life seems to have been dedicated to gross felony and infamous impurity, is a monument to the faithful labour of our Visitors and to the usefulness of our Society.

Let our Visitors weigh well the estimated value of a human being, and consider that it is their mission to try to redeem the offending from a degradation that bespeaks the loss of human respect, and betokens "a disregard of God in His way."

But it is occasionally said by some Visitors that we "have laboured in vain, and spent our strength for naught."

Perhaps so. But has that labour been regular and persistent? Sometimes the labour is ineffectual from frequent interruption—from failure to meet the expectation of the visited, by some neglect, by some accidental detention, on the part of the Visitor. Close attention, cheerful appearance, earnestness of manner, firmness to rebuke the fault, delicacy in imputing it, and appearance of confidence, are requisite to a Visitor.

But suppose with all these good qualities, and with a proper use of them at the cell, they should fail of inducing the prisoner to repent of the wrong he has done and try to do better. Is all lost, has all been in vain? Is the Visitor himself beyond the necessity of improvement? May not his efforts, failing objectively, be useful subjectively? We may all suspect some lack of zeal or knowledge where our efforts are not as fruitful as we hoped—but the duty assumed is not less obligatory, because sometimes it fails in desired effect.

There is such a vast difference in the antecedents, the character, temper, and hopes of convicts, that a "general" address, a set discourse, usually fails of any permanent benefit. It is here that the Separate System has one of its great advantages. Every conversation with the separated prisoner is made to bear upon his particular circumstances. He is not allowed to retire as from a congregate discourse, and sitting down to divide off the address, giving the admonition and dehortation to another individual, reserving only the least for himself and considering them as quite unnecessary in his own case. A learned penologist has given to the cellular mode of punishment the name of "Individual System," not merely because the convict is separately confined, but because being thus confined he may be dealt with individually. The mode of general lecturing is not without some *chance* of effecting good, though it lacks certainty and perhaps probability. Something may be done by shooting into the flock; birds escape wounded but not done for by this random proceeding. But the single shot denotes the marksman and is usually effective.

SOLITARY CONFINEMENT AN IMPROPER TERM.

While this Report is in preparation an attack is made upon the Separate System, because a prisoner died insane a few days after the expiration of his sentence in the Penitentiary.

The person who pronounced the censure did not in-

quire whether the convict had really been subjected to separate confinement, or whether he had passed the time of his sentence in companionship of other felons ; the association enforced by the crowded state of the cells of the prison-house in which he was held.

We cannot easily understand how confinement in a room without association with other criminals would give a tendency to insanity, but it is very easy to comprehend that insanity of a very bad type would be the natural result to a man of some delicacy of feeling and tenderness of conscience, shut up in a cell with some men of degraded habits, of depraved morals, and blasphemous and indecent language ; all of which evils are sure to be found in some of the thousand convicts in our large prisons ; and the man of refinement of feeling and tenderness of conscience may still be found a cell occupant there. But what do "*separate*" and "*solitary*" mean when applied in penology as adjectives qualifying the noun confinement ? In medical treatment we should at once suppose that the patient was to be without the companionship of any one. Yet, judging by the absolute necessity of the sick chamber, we feel that the physician, the nurse and several of the family would certainly be exceptions to the sweeping sentence of exclusion, and so the terms would acquire a modified signification. When a change of prison discipline was contemplated in this State, penal laws were enacted that rendered the words "solitary confinement" expressive of the intention of the Legislature, and such words entered into the sentence of the Judge in prescribing the punishment of the convict.

It was soon found that no such thing as real absolute "solitude" could be practised, and no such thing was intended. Subsequent enactments prescribed more definite treatment to the convict, and "*separate*" was used as expressive of the meaning of the enactment. Yet the word solitary was not stricken out, but maintained its place in the law and the sentence. It should have been stricken out, but remaining we seek its import and its true meaning and intent, as derivable from the effect which it has had upon the convict.

We have, in another part of this Journal, mentioned the true meaning of separate and solitary confinement as descriptive of the punishment of a convicted felon, but it will serve to correct a false idea if we repeat the explanation, in other language, here.

In all prisons the convict (we are speaking now only of convict prisons) must see his keeper, he must see some other of the attendants, and he may see his friends. In a congregate prison, the convict, in addition to those above noted, may see every day all of his fellow convicts, and he must see all of the grand division with which he is associated in prison labours. Of course that is neither "*separate*" nor "*solitary*."

In a prison where the "*separate and solitary*" system is faithfully administered, the convict is kept entirely separate from every other prisoner. He is not allowed to see any one of them, and the effort is to keep him from knowing that there is any other prisoner in the institution—or rather, from knowing any other inmate of the prison. He is kept in a comfortable cell, apart from any other convict, and no circum-

stance is to bring him into association with any other prisoner. And that is what is understood by *separate confinement*; and while he is alone in his cell, he is in *solitude*, and that solitude is sometimes bitterly denounced.

But how much of the convict's time is passed *alone* in his cell, in this enforced *solitude*?

The convict undergoing separate or solitary confinement, is visited by the officers of the prison, by the superintendent, by the keeper in charge, and by the distributor of his food. With these he may always converse. Silence is not a part of the sentence, nor a local rule, excepting as between prisoners; and the separate or solitary confinement should prevent conversation among prisoners. The man who superintends his work in the cell may converse with the prisoner. The moral instructor or chaplain is to have at least daily intercourse with him, and the teacher must of course talk with him, and to prisoners separately confined frequent visits of friends or members of the family are allowed.

It is difficult to see how a solitude thus frequently disturbed can lead to insanity.

But it is said that close confinement, however the tedium be relieved by company, will produce physical disease.

Why, hundreds in this country and thousands in other countries voluntarily submit to separate close confinement from religious motives; some do not speak for years, and are allowed little bodily exercise. These do not get consequently insane nor sick. Is it then only

the criminal that must be indulged in conversation, and that conversation criminal? Those who seek a high degree of virtue by voluntary separate and solitary confinement, whatever else they may miss, do not miss good mental and physical health.

It is to be regretted that the word "solitary" was permitted to retain its place in the penal code, where a modification of treatment rendered it wholly inapplicable to the punishment prescribed by the law, and where also the word is not expressive of the treatment which the Judge prescribes when he sentences the convicted felon.

The word is well enough where it is used to prescribe or describe the relations of the inmate of one cell with his brother convict in another.

The words "separate and solitary" lead to misrepresentation when busy persons interfere with prison relations with a view of exhibiting a morbid philanthropy—or, under the guise of humanity, to say offensive things.

When the separate or solitary system of imprisonment is spoken of, let it be distinctly understood that the prisoner is separated only from his fellow prisoners; that he sees daily several persons, and converses with them on subjects that are calculated to promote his moral and physical good; that the "solitude" to which he is condemned is only that solitude which propriety requires.

The opposite of all this is the association of the vicious, which is not likely to promote virtue in the prisoner or safety to society.

Inquiries satisfy us that the prisoner whose insanity is mentioned in this article, was not submitted to *separate* confinement. He was one of those whom the authorities are compelled to make joint tenants of a cell built for the occupancy of *one* person.

Were the days of a felon to be spent indeed in the solitude of his cell, he might not even then be a loser.

There is to a man capable of thought moments when previous guilt and present thought lead to other results than insanity. The visitor to his cell may call up remembrances that shall lead to soothing meditations. The convict may conceal the history of his former condition from others, but he cannot easily exclude the pressing remembrance of the seasons of family comfort, of a mother's affection, the long-enduring patience and affection of an injured wife ; and while these create regret, they often lead to holy resolves, and may often produce freedom of thought and a gush of affection that enlarge confinement and send the mind abroad in holy exercise and heavenly enjoyment. Some writer who knew the power of solitude to chasten, purify and elevate the mind, has said :—

“ They err who deem the captive's lot confined
To the drear scenes within his prison wall,
For oft-times, to the dungeon's occupant
The largest, noblest freedom has been given—
That of the soul's communion with its God.”

THOUGHTS ON ADMINISTRATION.

In another part of this Journal will be found an essay upon the superior uses and benefits of the Separate System.

The intention of writing that essay was to advocate the Separate System of imprisonment, and not to consider modes of administration; and we have not greatly departed from that intention. It is difficult to prescribe modes of dealing with convicts, when the system of imprisonment is unknown. It is not very difficult to designate the course to be adopted and pursued with prisoners where the system is fully adopted, especially if that system be cellular. If in declaring that a prison is to be conducted on the Separate System it is understood that no interference with that system is to be tolerated; if when the convict arrives at the prison the copy of the sentence shall say "separate and solitary" confinement, and if the authorities of the prison shall resolve that the order of the Judge shall be obeyed, as the Judge has resolved and declared that the provisions of the Act of Assembly shall be obeyed, then the administration of the system is not difficult, and the mode of procedure may be prescribed after consultation and experience, and the evils that are denounced as results of any system may be avoided. The administration of a "Separate System" prison may demand a few more officers, and those officers may require rather higher qualifications than are usually found in our prisons, but let it be understood that one cause of not finding higher qualifications in the general *personnel*

of a prison is that it is not looked for—much talent lies latent. It needs to be called forth and directed. It needs encouragement by commendation, reward and direction, and many “Keepers” do not know that their round of duties include much more than keeping, and they fail to comprehend that their prisoners are capable of something more than obedience.

We are to look in the first place to the adoption of the system of separate confinement in our prisons. We must, before such a system can be perfectly administered, adopt and construct prisons upon a plan which will insure the means to carry out all the plans that belong to the full administration of the system. The system adopted and the prison built, there will be no deficiency in the number of prisoners, (like the poor, they “are always with us.”) And then the administrators of that system. These are the officers and servants of the Institution, from the superintendent or warden down to the watchman or errand man. These persons must one and all comprehend the nature of the work of their several stations, and be able to understand their own responsibilities. There is not one of them that does not at some time, and not unfrequently, come in close contact with one or more of the prisoners. Before they can profitably discharge the duties of their respective places they must be made acquainted with the extent and full requirements of those duties. But it may be asked how are these persons to know the duties of their places, and how to discharge those duties, unless by practice. I do not think they could either know or do their duties without instruction; but

that instruction must accompany practice. All who come to assist are not by their willingness to work necessarily able to work, nor is every one who is able and willing to work capable of discharging correctly the most important duties of the office. One part of that duty is to instruct others in their duties. Some in office, and some who seek office, in a prison, are quite unable to teach others. So important are these talents and their cultivation in the art of teaching, that the Directors of our public schools have felt called on to establish a Normal School, by which the teacher may be taught to teach, and thus aid the learner to learn.

And it is now, as we had occasion to notice in previous years, a matter of discussion in one or two countries in Europe, whether it is not due to the importance of the position of a keeper in a public prison that he should have some special instruction for the discharge of the duties of the situation. In Italy we are told the experiment has been successfully made, and men are admitted to position on the staff of the "head-keeper," or warden, of a prison only when they show talents for the place, and when those talents have been specially directed to, and cultivated for, the discharge of duties of a prison officer. That is—schools for the instruction of the officers and employes of public prisons have been established—and in other parts of Europe they have been proposed and their necessity discussed. Their importance and great usefulness are admitted on all hands. In this country we believe we must wait for some time, and look to the prison itself to rear officers for the various duties of the place, and

consider the bitter lessons of experience as the qualifying means.

The time was, we all know, that the schoolmaster dropped by misfortune into the place of teacher, or rose by luck into a position that enabled him to take hold on "something better." At present men obtain learning and gain experience in the Normal School, and are enabled to *acquire* and prosecute the profession of teachers, and by a little economy, such as formerly all professions, that led to success, required, they secure a moderate competence by the continued, constant, exercise of an occupation that owes its permanent success to special training, after competent attainments.

We repeat that the prison-keeper school is not likely to be an institution of the present age in this country.

We speak of systems in other countries and of their successful administration there, and then we talk of the imitation in this country of systems and administrations which have been so eminently profitable by their entire success. Then, why not adopt from Belgium the administration of the system which she adopted from us?

The answer is plain and easily found. When the law for adopting the Separate System of imprisonment was passed at Brussels, the whole of Belgium became subject to its provisions, and was at once interested in its fulfillment. The only delay was the necessity of the preparation, the erection, or the adaptation, of prison buildings; only the modification or extension of the law for administration as experience suggested. There was no plan in one village to be discussed, nor

long attachment to old schemes to be respected. As soon as it was apparent by experiment that the Separate System was greatly preferable to the congregate, the parliament of the nation authorized the adoption of the new plan, and the adoption and prosecution of the plan was the work of accomplished agents.

It is not so in the United States. There is no national prison, and of course there is no national system. The man convicted of a crime against the laws of the nation may be sentenced to any penitentiary at the choice of the Judge. He may spend the term of his sentence in nominal solitude in the Eastern Penitentiary of this State, or be sent to the Western Penitentiary, and submitted to its different *régime*.

Delaware has one plan (or ought to have a plan) of prison discipline, and Maryland another quite different. In the shire town of Delaware, an offence against the law of *meum* and *tuum* will bring a man to the pillory, the whipping-post, and the enforced public use of a particular dress, while in a neighbouring State the same offence would be punished with trifling imprisonment. How little must a Judge in forming the sentence for one convicted of a crime comprehend of the nature and character, and especially of the effect, of the punishment to which he is consigning a felon. Will he be incarcerated in a penitentiary, where his thews and sinews will be taxed for the profit of a greedy contractor, and his conscience appealed to by persons who know nothing of conscience, and nothing of amendment that has not for its basis an opinion which they entertain of a creed. The convict may be called to

spend a few years where the impure air of his badly ventilated cell may be daily exchanged for the atmosphere of a stone quarry. Or he may have the daily retreat from his prison's solitary dormitory to enjoy the foul air, and fouler moral atmosphere, of a congregate prison, where the vicious have and use opportunities to amuse the young and less debauched with anecdotes of crime and criminal indulgence. Almost all prisons allow of that mode of finishing the taste for crime, and creating resolves for execution. These prisons, without the consent of their directors, but in the necessities of their construction and administration, are schools of vice.

We copy from a paper the following confirmatory paragraph :—

“ A late convict in Dartmoor Prison, England, writes “ to the *London Truth* that, in the conversations of the “ prisoners the usual topic is the art of thieving ; the “ causes of failure in daring burglaries ; the mistakes by “ which, after a successful crime, the thieves failed to “ escape detection ; the latest and newest inventions “ for picking locks or opening safes ; the most recent “ dodges for successful robberies at railway stations ; “ the most eligible districts for shoplifting, and the “ most profitable occasions for pocket-picking. Notes “ are committed to memory by which mistakes may be “ avoided, and the science of law-breaking be made “ perfect. The novices are also instructed into the secrets and mysteries of the craft, the varied machinery “ existing in thieves’ quarters for procuring an alibi,

“false evidence, and similar dodges for the evasion of “the law.”

That last quotation contains a fact that is eminently deserving the attention of the penologist. Numerous instances of cases such as are mentioned in that letter might be adduced from prison experience; and even supposing the cases are not as numerous as they are known to be, yet the possibility of such results should alarm those legislators who act for the cause of prison arrangement. No one acquainted with the life and conversation of prisoners in congregate confinement can doubt the truth of such a statement; and few who have watched and listened to prisoners in a cell will deny that this Dartmoor prisoner deals moderately with his experience.

FRIENDS CONCERNED.

The adaptation of punishment is one of the most difficult offices that the penal law devolves. How much a man has violated the law it seems to be the duty of jury and Judge to comprehend.

And as in all trials of capital cases the Judge charges the jury that it is the animus that qualifies the act, so, that jury ought to be able to comprehend how much of intention was involved in the act to make it one of *malice*, and how long the bad intention had been entertained to make that malice *aforethought*.

The surroundings of an act fixes very often the criminality thereof; and hence, of late, we see in our

Criminal Courts constant enquiries as to events, movements, or words that may have connection with the crime charged, to show on one hand the settled purpose of violence, or on the other hand a fixed determination to incense by insult, and aggravate by persistent wrong.

The motives that wholly or partially qualify the criminal act cannot be always nor fully derived from such revelations as are extorted at trials, and hence, without some plain testimony to, or confession of, crime, or plea of guilty, it will always be difficult for the jury to find an exact verdict, and for the Judge to pronounce a perfect sentence.

Yet efforts are usually made eliciting from some one, with the statement of facts, a statement of corresponding circumstances, so that the act itself is apparent before the motives and incentives are brought to light.

In the uncertainty of motives and of predisposition lies the great difficulty of fixing the penalty so that it may have the moral assent of the public and the admitted justice to the criminal.

Among the considerations that have weight in considering the justice and propriety of a light sentence is that of friends and relations. The act may be bad, and the punishment prescribed by the book may be eminently due the crime, but perhaps the first fault, though heavy, may call up the sufferings that are to result to others from the infliction of the penalty prescribed by law and pronounced by the Judge. The prisoner has a distinguished parent to whom the public owes deep obligation; there are members of his fam-

ily, all of whom would suffer in his penalties more than does the ordinary convict in receiving the fullness of a sentence.

A poet presents the idea: when reproving what he deemed an act of wanton cruelty, he makes the perpetrator reply:—

“It was only a *fly*, my lord.”

To which the questioner, in a temper that would have done honour to Mr. Bergh, replies:—

“Only a fly!

How, if that fly had father, mother, sister, friend,
How would they hang their pretty gilded wings
And buz lamentive dolings in the air.”

It is this father, mother, sister, friend, that make us shrink from severity of punishment, as they no doubt lead the culprit to shrink from repetition of his crime. How well would it be if such and similar associations would present themselves mentally before the crime.

We cannot doubt that the *extent* of the punishment, the many which it touches, should sometimes limit its severity; at least, we believe that the circumstances of the convict temper the sentence, and without doubt hasten a pardon.

If vice is so disgusting, crime so abhorred as that their atmosphere reaches beyond the offender, and reflects disgrace or suspicion (which is itself disgrace) upon friends and kindred, why may not, at times, the virtue and the excellence of the family, to which the offender is a miserable exception, serve to give efficiency to efforts to save from conviction, modify the

sentence, or redeem from condign punishment the convict that has to plead resolves for the better, and puts in pledge the unsullied names of those who feel the dishonour of his act, the publicity of his trial, and have hopes that something may yet be done?

These ideas may, we know, be by mistake carried to a dangerous extent. We would not have a good name made the shield of crime; we would not have a good name, which has been sustained through generations, not without an influence to show that goodness is profitable unto all things. But at any rate we are referring to what has been, what is, and what will be, rather than what ought to be. To allow reflective goodness, a restrained reflective influence, is much less permitting wrong in one on account of goodness in others, than it is a homage which the thoughtful and the discriminating are paying to persistent virtue; and however we may seek to explain away a motive, we shall not be able to resist the conclusion that much of the good which is done to the undeserving, is referable to the respect which we owe to the virtues of another. There are worse motives.

The criminal law seems to be provided with penalties suited to all crimes, but experience shows that the remarks which we have made above, relative to the circumstances of the criminal at the moment of the crime, are almost invariably applicable to the mental action of the Judge when he is preparing the sentence. Much more are all these circumstances weighed by the Judge than by the laymen of the community. The people in the Court House felt a great sympathy with the crimi-

nal who was found guilty of stealing a part of a cheese, especially when the convict, in reply to the Judge's question whether he had anything to say why sentence of death should not be pronounced upon him, exclaimed:—"I stole a piece of cheese when I was so hungry I could not go further and beg bread."

"And what were you doing with an open knife at the time of arrest?"

"I was paring off the rind of the cheese."

"The man who really steals cheese to save himself from starving is not likely to stop and pare off the rind before eating," said the Judge.

In a weightier case, or rather cause, the decision of the Judge would probably have been quoted as an instance of legal acumen.

Count Bertrani Scalia, in noticing the working of the criminal law in Italy from the Bench to the penitentiary, refers to some influencing circumstances which seem to be small, and says:—"These things may appear perhaps too minute, but where it is really desirable to study the cause of a crime, it is necessary to take into account all the factors thereof, and of the means adopted to repress it." And if temptations are admitted as justification, the extent of these temptations must be considered.

Our Visitors to the cells of prisoners cannot fail to discover that at times the Court, with all its desire to do right, has failed to reach the ruling motive of the convict in the performance of an act for which he is adjudged deserving of imprisonment. But with that discovery, though the feelings may be touched with

the condition of his client, yet he has no authority to treat the prisoner otherwise than as a criminal. It would not do for the official Visitors of this Society to have the convict to believe that the Society had a duty to enquire into the justice of his sentence. That would be to disturb the order of the prison, and make our interference an injury, and our general presence undesirable.

The Visitor from the Society should, while in communication with the convict, avoid all attempts to strengthen the feelings of unkindness with which the prisoner is disposed to regard the criminal law, and especially the administrator of that law in prison. All know that from mistaken notions most convicts affect to think themselves injured, and to regard their imprisonment as an act of great injustice. To encourage that feeling by indulging it is to do great injury to the prison discipline. Our Visitors should try to persuade the convict to be better; they should not consent even by silence to his bold assertion that he is innocent. He may indeed, be innocent of the crime of which the jury pronounced him guilty; but it will rarely happen that the one thus pronounced guilty has not assured himself, by his evil associations and previous infamy, a general fame that would give force to the testimony against him. It is wrong, we know, that a man should be punished for a crime that he did not commit, even though a previous life of infamy should render probable all new charges against him; but if a previous unimpeachable character should be pleaded against the probability of the committing a criminal act, then it

may be not improbable that an uninterrupted series of wrong-doing may influence a jury to pronounce guilty a man whose past acts were so consistently bad that there could be little or no doubt of his guilt, while his present act was so concealed as to lead to a difficulty in establishing perfect proof of guilt.

"I am not guilty of what I am charged—and for which I am now to suffer," said a young man lately, while proceeding to the gallows—"but my previous life had been so scandalous, and my associations and my conduct so bad, that I can understand why I was pronounced guilty; why I am now to suffer death—and I do not complain."

HOWARD ASSOCIATION, LONDON.

We have in this number of the Journal sought to strengthen our favorite theory of "Separate Confinement" by the experience of the practice in other countries, where great attention is paid to prison discipline, and where the circumstances of the country and the nature of the government give power to regulate prisons upon a general basis or plan, and we think that our theory at least is fully sustained by their practice. We now report on some general matters that touch prison discipline, and serve to illustrate the direction and show the progress of the movement in Great Britain and Ireland. We use the Report of the Howard Association of London, for the year 1879, as we have done at previous times.

The Howard Report felicitates the Association that the recent Acts of Parliament referring to prison regulations contain important provisions that were suggested by the Society.

The Report notices the fact that the Irish Convict System, which had been warmly praised by many writers, and especially by Miss Carpenter, whose name, services, and presence in this City two years since, will undoubtedly be in the remembrance of most of our readers, has fallen under the censure of the Royal Commission appointed to investigate the working of that system, and the Howard Report says that what the Royal Commission condemns the Howard Society has long previously disapproved. And we may add that scarcely a number of this Journal has been issued without some distinct censures upon the Irish System.

Spike Island, the second stage of imprisonment in that system, is condemned as full of evils in its operations. The whole evil comes from an adoption in some stages of punishment of the Congregate System.

The Howard Association Report states that the evils of the Congregate System are concealed by withholding a portion of the official report from the general statement of the affairs and movements of the Prison.

The Howard Report, after noticing the operation of measures that the Society had recommended to the government, complains that one measure had failed of adoption, *viz.*, that permission should be given to suitable persons to deliver unsectarian religious or moral addresses to convicts, or to visit them in their cells, with a view to afford beneficial instruction and counsel.

Our readers will see in the privileges and duties of the members of our "Acting Committee," that we possess a right in this State unenjoyed in Great Britain. In this matter it would seem that the moral and religious instruction of the convict is confined to the *Chaplain*. In the State Penitentiary of Pennsylvania, the exclusive employment of "Moral Instructors," or Chaplain, is not considered any bar to the services of many persons who make frequent visits to the prison to deliver moral and religious instruction. Certainly in some things we are ahead of the British.

The error usually imputed to the British is backwardness in prosecuting improvement. The delay sometimes affords means not only to adopt the system, but also allows time to prepare for the system.

The error in this country, if we may be pardoned for supposing an error, is the hasty adoption of plans, and a neglect to prepare for their application, or to provide against any evil which may result from an unguarded or unskillful use.

Many good plans are made even injurious by careless or ignorant administration. Some good plans have failed of producing possible benefit by the unwillingness of people to adopt them. But on the whole, rashness is even more dangerous than inertness.

In a nation maintaining such a strong standing army as belongs to Great Britain, it seems not strange that some, at least, of the members of that army should find their way into positions not generally included in provisions. But it would seem from the Howard Report, that not only *some* of the officers have found their way

into what are usually denominated civil branches, but it is made to appear that the whole of prison discipline in England is, or is about to be, placed under military rule, and the Howard Journal says :—"The great body "of the officers (of the prison), both principal and subordinate, are selected from the army and navy, to the "rejection of the members of all other professions. "The influence of this military *régime* appears to be "paramount."

There seems to be little danger in this country of the army being made to supply officers to the prisons. So small is the army and so dangerous its employment, that but few return therefrom to act as keepers or occupants of the cells. Men have gone out of our prisons to swell the ranks of the army in times of special danger, but very few of them have returned.

We have from time to time given the dietary of the prisons in England, but it seems that under a new law, the prisoners in some gaols suffer from insufficiency and bad quality of food. One thing is eminently worthy of notice. Prisoners who have but a short time to serve, and are not condemned to work, get a much larger portion of food than is allowed to those who probably by a greater offence are condemned to what is called "penal diet," and that diet is much less than the idle prisoners receive, and its quality is miserable. In this country generally no distinction is made in the diet of the prisoners, unless from some act under punishment for offence against prison rule.

The "*Howard Association Journal*" is one of the ardent advocates of the abolition of the punishment of

death, and it uses and has used some excellent arguments in favor of the plan.

It notices that many Nations, and some of the States of this Union, have abolished capital punishment, the taking of life for life, and substituted therefor a different penalty. And there are some other reasons adduced why, in the opinion of the Howard Association, the taking of human life by way of punishment is wrong.

It is not proposed to reply to the argument of our esteemed contemporary because it is not meant to declare in favour of capital punishment. But it seems to us that the argument from example of the abolition is sufficient, because some of the States that abolished the punishment have resorted to the measure again, and others are criticising the measure they have taken, and proposing to re-erect the gallows.

Another argument of the Howard Association in favour of abolishing capital punishment is founded on the inability or unwillingness to enforce the penalty, and it mentions a number of States and Nations where there was a very large number of death sentences, and a very small number of executions.

It would seem, then, that neglect of duties needs special interference. Pennsylvania is not in this category this year. Another argument the Howard Report founds upon "*the sacredness of human life.*" That is, if, as in the case in the north part of Pennsylvania, men combine, and go, or send forth, at night, and murder citizens who hold opinions different from their murderers, those murderers may plead the sacredness

of human life as a bar to their punishment for taking many human lives. Is it only the life of a murderer that is sacred?

One might think that something should be done to the man that wickedly and wantonly takes human life, even though not for punishment at least that human life may not be taken.

We do not argue the question of capital punishment but we wish to shew, what hundreds who read this journal must acknowledge, how weak if not dangerous are these statements. A good cause suffers much from bad argument. There is a spirit that has gone forth in behalf of humanity that will act, and will not be defeated by strong argument against its work nor retarded by weak arguments in its favour.

The Howard Association takes up the subject of the details of prison discipline. What should be done and how it should be done. We need more information on that subject, much more, if the Congregate System is to be maintained. Wherever the Separate System prevails individual treatment must of course prevail, and after some general rules have been adopted the treatment of the prisoner may be particular.

The hopes of moral improvement in a prison can be realized only when treatment can be had suited to the condition of the prisoner's feeling, education, habits, and we may add his religious views.

The statement which the Howard Association issues from time to time is a valuable document by which to comprehend the action of the Society and the progress in the country of the principles which it advocates, and

we also say the dependence of that progress upon the labours of the Society.

The Howard Association issues sheets or extras from time to time, which contain arguments or statements relating to questions more or less connected with the great subject of penology. It is probable that Mr. Tallach's hand is active in these side issues as well as in the main question. He is a thorough-going man, and speaks right out when there is anything to say.

One of these extras is filled with a consideration of the subject of prison labour. The author is of the idea that all prisoners should be employed upon work that is most remunerative, and the idea that outside interests are to be regarded where the profit of prison labour is to be considered.

The extra now before us, or rather one of the extras, for there are many, is filled with an argument contained in a dialogue between two workmen, in which the one that opposes prison labour is entirely demolished. While reading that paper we were struck with the peculiarity of the style and the spelling, which seemed so un-English as to lead us to look for the origin of the argument, and we discovered that it was an extract from a New York Journal—written, of course, to defend the abominable policy of New York prisons, by which politics are partly managed and some enterprising firms made rich by prison contract labour, a system now universally condemned.

We have written and published in this Journal one or two articles on prison labour, and do not now intend

to renew the subject, although we must regard it as only a postponed question. The idea that because there are only few in prison, compared with those out of prison, prison labour cannot injure the honest workman is untenable.

There are very few shoemakers in prison compared with the number of that branch of manufacturers out of prison, in this City. But let the nearly two thousand prisoners in the Philadelphia County Prison, and in the Eastern Penitentiary, be set at work at boot and shoemaking, and they would soon spoil the market for the article made by honest artisans. Let it be recollected that when the two penal establishments have been at work a few months at the rate of four pairs of boots or eight or ten pairs of shoes a day for each prisoner, the store will begin to show a plethora that will call for a little help to circulate. This great accumulation must be disposed of at any price ; their cost, it is said, has been only the cost of the material, because the establishment is maintained by a general appropriation from the State (for the Penitentiary,) or from the City (for the County Prison,) and therefore everything obtained over and above the cost of stock is profit to the prison. Now let the produce of (not two thousand) only one thousand three hundred prisoners, for three months, be thrust upon the market, say there are thirteen weeks in three months, and six hundred prisoners are making, at established task, four pairs of boots a week, they would turn out thirty-one thousand and two hundred pairs, and seven hundred prisoners would make thirty-six thousand and four hundred pairs

of boots, or pegged shoes, in the same time. Now throw these suddenly upon the market, and what would be the effect upon the price? It is true that sixty-seven thousand six hundred pairs of boots and shoes do not make a great show among the many millions required for the whole population of the country, but let it be remembered that almost every State at this time has more than one penitentiary, while every County in every State is furnished with one or more prisons, and it will be obvious that the production in so many prisons will affect the market, and affect it injuriously where it is the best policy to protect it, *viz.*, where the work of the labouring man should realize a fair recompense.

But it is said all through the argument for extensive prison labour that the effect is not so great as the opponents imagine; perhaps not—but it is great and it is injurious to the honest labouring man. Honest labouring shoemakers find it difficult to obtain employment. The man in prison has already provided for his employment; he is sure of bed, board, clothing and fuel; these are paid for by taxes that are levied proportionately on the honest labouring men.

The honest shoemaker has himself, his wife and his children to maintain. He has, by taxes upon his earnings, to maintain the public schools, the general government, and management of the City. He will look that his pew rent or his contribution at church be paid, and what is more, he must, by taxes, support the prison. That is not much, it is said; well, the sum which a journeyman shoemaker makes over and above the bare sup-

port of his family, house rent, marketing, fuel and clothing, is very small, make that smaller, and you cut off something of all these necessities and make the condition of the imprisoned culprit more supportable than that of the honest working man with a family. You seem to invite him to crime.

Two broomsellers met in the streets of London one day, and one of them reproved the other for under-selling :—" Why," says he, "you sell your brooms for "a shilling a piece, and I cannot sell mine for less than "fourteen pence, though I steal all the materials." "Why," said the other, "I do better, because I steal the brooms all ready made."

Be careful, while we punish crime, that we do not provoke it.

The Howards are earnestly pressing the abolishment of imprisonment for debt, which it denominates a relic of the barbarous ages. So are the saddle-bags, and the mule for conveying persons and freight to a distance, but they all gave place to invention which rendered such affairs no longer necessary. The passage across the great desert is made now upon the camel's back, and was in the time of the prophets, when the camel was called the "ship of the desert." It will not be long before that living ship will give place to the steam engine and the car; just about as soon as all circumstances shall render such a change profitable.

The abolishment of imprisonment for debt must come in Europe as it has come in some of the United States; business men will learn that there is no alliance between the counting-house and the jail. The

efforts of the philanthropist must precede the convictions of the business man, and those convictions must precede the abolition of imprisonment for debt. Resolution, effort, zeal, must open the way for improvement, and there must be patience in awaiting the favourable result, which *will* come.

CRIME CAUSE.

We have in other Reports especially dwelt upon the neglect of parents in the discharge of duties towards the young child; the indifference with which certain acts of the child were regarded if those acts did not produce loss or inconvenience to parents. We have several times noticed, and shall probably induce our successors to notice, the influence of regular occupation upon the habits of a boy. The advantage of acquiring a mechanical trade as lifting the boy above the temptations that beset youth, and giving disciplined employment that saves from bad association, and thus withholds from vice and crime. We cannot too earnestly impress upon the minds of parents who know that their children will have to labour hard to earn a living, the vast importance of a mechanical trade, of an education with profitable and virtuous use of tools, by which the mind and hands may easily find something to do. The time when the lad would be acquiring that trade is the season of great danger, and every hour not dedicated to some good purpose may be

used to enlarge bad association, and fix the character for a career of crime.

In urging upon parents more careful attention to the mental formation of their children, we aim at a work which shall alleviate the miseries of public prisons, because it will lessen the number of prisoners. We do not now present instances of crime cause, for we wish to look for a moment to a view taken of the subject by the Hon. Richard Vaux in a pamphlet lately issued by him.

Mr. Vaux has almost a life-long acquaintance with prison discipline, prison usages and prison effects. He has noticed the connection between idleness and crime ; he has pointed out the vast injury to a youth to be destitute of means to acquire an honest living, and how little even education has done for virtue, compared with the ability and will to work—indeed, he has shown that education not connected with moral training is rather a means of crime than an inducement to virtue. We have followed Mr. Vaux in those views, knowing from experience that they are right. But Mr. Vaux has naturally advanced a step. He has seen, as most others who have carefully studied the subject, that felony is imputed to, and proven against, men who seemed to have no obvious call to vice. Ignorant or learned, with or without a mechanical trade, they became vicious in early childhood, and grew early into felony. There are, it must be confessed, families almost all the members of which are tenants of prisons, unless the succession should be occasionally interrupted by the gallows. Father, mother and children

are tenants of the same cells that were occupied by their ancestors.

Now one on trying to explain this peculiarity in families, the general tendency toward crime, would perhaps refer it all to the education which the son received from his parents.

Mr. Vaux in his essay, which is truly philosophical, has, after admitting the evil tendency of neglected childhood, and the danger of trusting to accident for a support, instead of a thoroughly acquired trade, and the greatest danger of all, learning without morality, has given his view upon hereditary crime. A backward look, one or two steps further than most other penologists have taken. Indeed, the idea of hereditary crime seems only to have been floating in the mind without any attempt to fix it and give it utility by proof until Mr. Vaux propounds the opinion and then sustains it by figures drawn from the records of experience. We do not now profess to have adopted the view so well sustained by Mr. Vaux, but without shrinking from the attempt to disprove the assertion that crime may be hereditary; Mr. Vaux says:—

“Such are the intimate relations between the triune human character, the mental, moral and physical condition which constitute it, that crime is a consequence of the disharmony of these conditions in their operations, or of the subordinating power of one over the other.”

We readily comprehend that *insanity* may be hereditary, but we only understand it because it is discovered that insanity is found in children whose parents, one or

both, were insane, and on examining closely it is found that the exception to the cases are less than are the departures from hereditary disease or physical disease. One may almost say that in the light in which Mr. Vaux presents the subject, the proclivity toward crime is itself a disease. Mr. Vaux fortifies his doctrine of hereditary crime by numerous instances drawn from authentic statements of the condition of Penitentiary prisoners. And it cannot be denied that so many instances corresponding to his theory may be considered as sustaining it. An examination of the statement made by prisons and penitentiaries, of the circumstances of their inmates, develops the fact that very few of those prisoners who could have acquired a trade were even apprenticed; a vast proportion, nearly half, impute their fall, and continued wallowing, to bad association—undoubtedly the proximate causes of crime are to be found in the evil of bad association, and the want of a regular trade—these are crime causes—but may there not be a cause for causes; how came the boys to be without an art education; how came they to be the companions of the unruly, the vicious and the criminal?

We must, it would seem, fall back upon the theory of Mr. Vaux, and admit, if possible, that the fathers have eaten sour grapes and the children's teeth have been set on edge. Our business has been to deal with the proximate cause as sufficient, but the philosophy which Mr. Vaux propounds, and which he sustains by experience and example, induces the opinion that the proximate cause is if not the effect of, at least it is affected by, a remote cause.

Twenty years ago weather-wise people would proclaim with apparent certainty that to-morrow would be fair, or it would be foul, and they would mention the signs which warranted the opinion, which opinion often proved false; the signs here had been affected by some circumstance of the weather abroad. *Now* the Bureau at Washington takes into its calculation the phenomena at a distance, and judges of their effect on the situation here, and is usually correct. The remote causes interfere with, and influence, the nearer causes, and we cannot judge of the coming weather unless we know how much the distant is to affect the present.

Mr. Vaux thinks that the character of the man is largely affected by the character of the parent.

All this is curious and interesting as influencing attempts to prevent crime.

But whatever may be the condition of the criminal prisoner; whatever may have been with him the crime cause, and we admit that there are remote circumstances that are "causative," we have one great duty, we must seek to diminish the suffering of the convicted, and try by all persuasion to make him understand the nature of his offence and the cause and effect of his imprisonment; to persuade him to adopt a resolution for good, and to seek to provide means to prevent him from falling into evil.

The kindly action of the good Samaritan did not cease with the binding up of wounds and the pouring in of oils, but he commended the sufferer, who had fallen among thieves, to the care of the nurse, and promised to pay all additional expense. Let not our chari-

ties close with the closing cell door of the discharged convict. We have visited his cell to promote his future good. "Whatever is worth doing at all, is worth doing well." Let us do our work well by following the released offender; let us see that he does not again "fall among thieves;" for the discharged convict finds in his new unguarded liberty a most effective "crime cause."

OBITUARY.

As the number of members increases, it is natural to look for an increase in the number of deaths. We have no exemption from that law which commands us to the grave, "earth to earth," and accordingly this year we present another chapter chronicling the death of our members, and there is a goodly number of those who have so far escaped execution of the law of nature yet stand lingering upon the edge of life awaiting "the great teacher death."

We do not know that we should greatly lament the death of an active member of this Society on *his* account. His life has been solemnly devoted to the work of alleviating the miseries of prisons; while that life lasts and the object to which it is devoted pursued, it is for the good of the prisoner that the Visitor should be found at the cell. When that life is withdrawn, it is the prisoner, grown familiar with the ideas and language of the Visitor, who suffers the loss of him who cheered the dreary hours of confinement, who added consola-

tion to commonition, who awakened to penitence and urged to good resolves ; who whispered of a better life possible here, and a happy eternity to be secured. When such a Visiting Member of this Society is called home by death

“ 'Tis the survivor dies.”

And while we thus record the mortality among our members, we ask from their clients in prison a recognition of the worth and services of their Visitors, and the only compensation possible to them, *viz.*, a profitable use of the lessons and advice which they have bestowed.

The certainty that our obituary chapter is destined to have a place in each successive number of this Journal, announces the probability that some who have tried to do honour to their deceased companions, will be themselves candidates for similar record in an early future number. Perhaps the pangs of death will be alleviated by the remembrance of some good done in a pure motive ; some youth coaxed back from vice by care and kindness ; some erring one persuaded by reason and affection to regain the path from which he had wandered ; and some erring one sent on his way of reformation with advice to sustain his resolution of good and with means to aid him to avoid the temptations to bad.

The hand that pens this paragraph trembles with the infirmities of disease, of which age permits no cure but consciousness that while the hand-power lasted the mind was strengthened to suggest what that hand

found to do ; there is neither pride in the accomplishment nor distrust in the motives of action.

It is the consolation of survivors that with all the good results that may have flowed from the ready services of the departed, there are of those that are left enough to perpetuate, perhaps improve, the work. That consolation while it sustains the full hope for the future should not restrain gratitude for the past.

We come now to speak of those that in the year 1879 were withdrawn by death from our Society.

EDWARD H. BONSALL.

At a quarterly meeting of "The Society for Alleviating the Miseries of Public Prisons," held April 24, 1879, Joseph R. Chandler, in the following remarks, drew the attention of the Society to the great loss which it had sustained in the recent death of that good man and useful member,

EDWARD H. BONSALL.

We are called on this evening to hear the formal announcement of the death of Edward H. Bonsall, for a long time an active and a most efficient member of this Society, as all who frequent our meetings fully comprehend.

Mr. Bonsall entered this Society with an intention of doing good to others. The spirit of Christian philanthropy was upon him, and his was not a temper nor a conduct to grieve that Holy Spirit.

It is not my intention to make a "roll call" of the virtues of our deceased colleague, nor to present the instances and the character of the services which he rendered to our Society in the full discharge of the various duties devolved upon him by his fellow-labourers, who fully appreciated his great abilities to advise in all ordinary and extraordinary circumstances, and comprehended his willingness to assist not only with his advice, but with his unstinted labour, sustaining in large proportion his share of the work which his sagacity suggested, and in completing which his sense of right often led him to extraordinary efforts.

It is not necessary in Philadelphia to inform men of enlarged general intercourse of the character and usefulness, of the good works and pure intentions, of Edward H. Bonsall. Remarkably quiet and unobtrusive in his habits, he was yet found aiding a project, one of the most important means of intercourse between our City and its suburbs, and when the plan was accepted, he took upon himself the main direction of a work now deemed of the highest civic necessity.

To the power of designing and producing physical good, Mr. Bonsall added the literary accomplishment that made his description or defense worthy the object to which they were devoted.

Mr. Bonsall's active mind led him to much travel in our country and in foreign nations. His was a faculty to profit by such means of knowledge, and to make his intercourse more gratifying by conversation enriched by careful observation.

These characteristics and achievements of Mr. Bon-

sall are not now mentioned as qualifications for membership in our Society ; but they show the general value of the possession, as reflecting credit upon our institution by an associate who brings to us an enlarged social estimate. But knowing that our colleague had qualities for general respect, we were gratified rather than surprised to find that all his attainments as a citizen, as a man of business, as a man of strictest integrity, were made subservient to our purpose, were indeed, willingly dedicated, with all their worth, to the advancement of our cause.

It was pleasant to see the stately form of our friend rising in our midst to advance a truth or to correct an error. Prompt to discover the slightest aberration from the prescribed line of our duties, he was cautious, prudent, and delicate in pointing to dangers, or the existence of an error in proceedings. Often our members have been gently drawn into the right path by his monition, with scarcely a suspicion of the wanderings upon which they were about to enter.

Mr. Bonsall understood well the aim of our Society, and delighted to contemplate the means prescribed for carrying those aims into practice. But he understood too, the circumstances of Society at large in which the greatest portion were indifferent to our views, and some aggressively hostile to our existence. He manifested prudence where matters concerning our objects, and means, were openly discussed.

Mr. Bonsall was, for some time, Chairman of what by the Society is denominated the " Editorial Board," and in that position he gave instructive interest to our

"*Journal*," and added to the many obligations under which his associates rest to him for his useful sacrifices to the cause of sound philanthropy.

It is eminently due to the memory of Mr. Bonsall, that testimony should be borne to his constant zeal for the usefulness and honour of the Society, but especially is to be noted, the judgment which he manifested in the execution of any duty devolved upon him. He knew well how important it was that our Society should gain credit to its plans by assuring general approval of them. Wild schemes, that would not bear the judgment of time, he condemned by the propriety of his own plans or by the moderation which he suggested in the execution of the schemes of others ; and his great care, his clear judgment, his admirable foresight, lead his co-labourers to acknowledge that with him :—" Wisdom dwelt with prudence."

Mr. Bonsall was not regarded, or rather, did not wish to be considered, elequent of speech. And yet, how all of his colleagues saw, and confessed, the marked influence of his efforts to persuade or dissuade. He "spake right on," where the subject was one that regarded the interests or the objects of our Society ; and with a quiet earnestness he spoke unfalteringly, correctly, and feelingly, and the simplicity of his language enforced the truth which it conveyed. He loved to assist our councils with his experience, and members delighted to be instructed and convinced by the matter and manner of his argument.

" Truth from his lips, prevailed with double sway."

Mr. Bonsall was constant in his works of usefulness, and, without ostentation, he made his knowledge of business subservient to interests that might have lost their value but for his interference. His example was most beneficially operative ; he invited and encouraged others to be good in their own way, by doing good to them in his own way.

With qualities like those exhibited by Mr. Bonsall, the best of which was his readiness to employ them all usefully, it is not wonderful that our Society should feel and lament his loss. His withdrawal from our midst must long leave a void, never perhaps to be entirely supplied by one individual ; yet each separate quality will probably be exercised by some succeeding member, whose desire to do good may be augmented, and whose ability to serve our Society will be increased by the beautiful and practical example of our deceased friend.

Whoever it may be that shall come to occupy the seat, and undertake the office, of our departed member, the chastened zeal, the candid language, and the welcome presence of Edward H. Bonsall will not be forgotten ; his memory will be embalmed with us in grateful recollections of his services, and in the constant recognition of the honour reflected upon our Society by his social worth abroad, and by the advantage resulting to us, his associates, by his constant efforts for good in our midst.

Mr. Chandler offered the following Resolution :—

Resolved :—That the Society receives with deep regret the announcement of the death of the esteemed citizen, Edward H. Bonsall,

who was respected for an unremitted devotion to the interests of our Society, and for his faithful discharge of the many duties devolved upon him by his membership.

Resolved.—That the Society cherishes the memory of its late active member, not alone for the value of his services in the prescribed functions of his place, but especially for the beautiful example of his life, and his prudent affectionate counsel, and the good spirit in which all his work was undertaken and accomplished.

Resolved.—That in paying this tribute to the services of one of its oldest and most efficient members, bearing in mind the beautiful simplicity of his language, the disinterestedness of his services, and his retiring delicacy when his own work enforced attention, the Society limits the expression of its estimate of Edward H. Bonsall's worth to language which suggests, but does not fully express, the affection of its members for the man living, nor their regret for the death of so useful a colleague.

Resolved.—That these Resolutions be spread at large upon the record of this evening's proceedings, and that a Committee of three members be appointed to convey a copy thereof to the family of Mr. Bonsall.

After some interesting and appropriate remarks by the Rev. Dr. Saul and Alfred H. Love, the Resolutions were unanimously adopted, and Messrs. Chandler, Laing and Love were appointed to convey a copy of these proceedings to the family of the deceased.

Extracted from the minutes.

JOHN J. LYTTLE,

Secretary.

We look in our obituary chapter, naturally, for a record of the death of some of our elder members and

a transcript of proceedings that our loss and their protracted service suggested. It is painful to part with those with whom we have long taken counsel, and whose services have honoured our Association and stimulated our efforts. The old must die.

But it is not alone the aged, who full of good works die, and leave us mourners. The young also die. And we have this year to refer with peculiar emphasis to the great loss which our Society has sustained in the death of Henry G. Townsend, an active member who, in all entrusted to him, acquitted himself with a willingness and efficiency that entitled him to the grateful regards of his fellow members.

But Mr. Townsend was useful among us in all his varied relations with the Society. He was a working man, ready and willing to do whatever was placed in the line of his duty. He was prompt and faithful in his acts, sparing only in his words. We all had opportunity to *hear* of his attention to all that by our Society was devolved upon him, but very few heard him speak of his exertions.

Mr. Townsend was courteous towards his fellow members, regardful of the rules and objects of the Society, whether he gave or withheld, applauded or reproved, it was in that spirit of gentleness which won confidence and affection. Nor was the charity of his manner and the purity of his mind less agreeable to his associates because they seemed hereditary. The inclinations of his heart towards good were derived from, and directed by, one who sought rather to make his son useful than conspicuous. Our Society could not

be deprived of the labour and example of such a member without great loss, a loss of which it was due to itself to make strong emphasis.

The active members of our Society, especially those who frequented the monthly and quarterly meetings, cannot fail to recall the modest deportment of the young man who, with no habit of pressing himself into general or special duties, was usually found where those duties were to be discharged; and he fulfilled all the expectations which had been formed upon his character, and justified the seeming partiality that placed him where work was to be performed. Mr. Townsend worked willingly and faithfully; he had the usual experience of willing men; there was devolved upon him many responsibilities. He shrank from none, and redeemed them all. When the Society heard him say, "I must decline that appointment," they were greatly moved, not so much that such an amount of labour must, if it be accomplished, devolve upon another, not so much on that account, though that circumstance was one of regret, but rather because they saw that the hand of disease was on their brother, and that his withdrawal from labour could have been induced only by that physical inability that must soon end in death.

Mr. Townsend's death brought grief beyond our Society. The generation above him must take the remembrance of his filial virtues for their comfort in such a loss, and a wife must mourn in lasting grief the loss of "lover and friend," that is put far from her, and children be reared in the sweet recollection, rather than in the beautiful example, of parental love.

Notice was taken of the death of Mr. Townsend by the Society, of which the following record is made:—

At a stated meeting of the Acting Committee of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," held 6 mo., 19, 1879, the following in relation to the death of Henry G. Townsend was offered by Alfred H. Love:—

The record of our departed co-labourers is not permitted to close.

A month ago we paused over the decease of one of the oldest and most faithful of our members, now we note with affectionate hand the removal of one of the youngest of our body. "A sower who lived to see the reaped grain," followed by one awaiting the harvest his early manhood promised.

HENRY G. TOWNSEND,

inheriting the noble qualities of his father, the esteemed Warden of the Eastern Penitentiary, manifested an early interest in the welfare of the prisoners, and proved a valuable member of this Committee, both to those he visited, and to us whom he served as Secretary, with unfaltering devotion and marked ability until his strength failed him.

His retirement was as reluctantly proposed by him, as it was deeply regretted by us. We yielded because he asked it, and because we had become sorrowfully convinced of his failing health.

He was peculiarly gifted with discretion in speaking of others, and tenderly kind in referring to the short-

comings of those he visited in prison, as to those he mingled with outside. He was always on the side of charity and mercy, and surely the blessings thereof shall follow him, and he shall be remembered as one whose interest gave promise of a long and useful connection with this beneficent work; and one who could sometime fill the places made vacant by the garnering hand of time.

In adding that we are deeply sensible of the loss we have sustained of our young member and recently one of our officers, is saying very much less than our feelings prompt.

As we shall miss him from the post he honoured, we shall, to a greater extent, feel his absence from the circle of the endeared friends of our daily walks in life.

We sincerely blend sympathy with appreciation in tendering to his bereaved family this small token of our affection, and in directing a copy of these proceedings to be presented to them and recorded upon the Minute Book.

On motion the above was adopted, and a committee of three was appointed to present a copy thereof to the family of the deceased.

Alfred H. Love, Henry M. Laing, and Edwin Craft, were appointed the committee.

Extracted from the minutes.

JOHN J. LYTLE,
Secretary.

CONCLUSION.

All our Annual Reports have concluded with recommendation of the objects of the Society to the renewed attention and increased zeal of those who are, or may become, joint labourers in the cause of prison philanthropy. It is especially meet that this statement of plans, views, motives, and labours should finish with earnest recommendation to the conductors of the affairs of our Society that they be earnest, persistent, zealous and *prudent*. *Earnest* all must be, who feel an inclination towards our work, less than full satisfaction as to the importance, almost the necessity, of the work would be an inadequate stimulant to earnestness of exertion, once undertaken it must be pursued *persistently*. There must be felt, and acknowledged, a *zeal* in the work, or efforts against such disheartening experience as is found, will result in coldness and disgust; but that zeal must be according to knowledge, it must not be a blind effort with only an end in view without regard to means, or to the circumstances of the object. It must be directed by a wisdom that is the companion of *prudence*, an ingredient or quality that is a *sine qua non* to permanent success. This produces an element in our labour for extensive permanent success without which the success shall not be.

We feel bound in recommending our Society to the special care of those to whom its management is committed to press upon their minds, we might add their consciences, the vast importance not only of doing the

good work for which we associate, but also and especially of doing it that the manner shall commend to public approval the great matter we have in hand. It cannot be denied that our Association has at times suffered in public esteem by the imprudent zeal of some who were not approved representatives of our sentiments, though of our number; and the Society and its great objects have been made to suffer still more by persons who pretend to be acting from the same motive with us, but not of our Association, and who present themselves for admiration and applause by affecting to be missionaries of truly philanthropic sentiment. The cause of true active humanity suffers by such ill-judged movements, and it behooves this Society to disavow all connection with such independent efforts. The Society for Alleviating the Miseries of Public Prisons has in its publications, and in its instructions to its agents, set forth work to be performed under its sanction, and it has pointedly declared against certain work which would hinder its good influence.

The agents of this Society, as well the agents of committees as the members of the committees themselves, are forbidden to interfere in the work of gaining pardons for convicts; the pardon broker ought not to have any right to claim affinity with the Society, or to increase his means of self-service by being able to plead his relations with us. It is the duty of the Society to see that everything done in its name be done in decency and in order, and to see that nothing good or bad be referred to the Association that is not done by its order, or approval.

The permanent usefulness of the Society is less dependent upon erratic zeal, and single and unexpected influx of pecuniary means, than upon that decorous and dignified action which builds slow and rears for permanence; which gathers the income in small contributions, rather than in sudden and solitary infusion.

The torrent that rushes with noisy haste adown the mountain side startles, perhaps, by its grandeur, but appals by the waste which it creates and the ruins which it leaves, while the accumulated drops that percolate slowly through the natural caves form gentle streams that in noiseless progress enrich and beautify with permanent usefulness

"The meadow, that with a livelier green,
Betrays the secret of their silent course."

Nor does the remark apply alone to the funds of the Association. Our very undertaking should be spared the ideas of rashness and excessive inclusion, which are so often connected with individual views. We need the pure percolation of modest desire and effort. The excess of plan defeats our object and leaves traces which, if not expressive of ruin, are usually suggestive of ridicule. Our condition has, from the establishment of the Society, been steadily progressive. The founders of our institution had great objects in view in which, of course, they had scarcely an appreciation as to the extent of labour or the benefit of persistence. The spirit of Bishop White was in the incipency, and that spirit pervaded all plans and all efforts. What was practicable the founders of our Society considered, and

they made success an incentive to future efforts, and one by one was corrected many of the penalties and provisions that marked the penal statute book of the State; and one by one was corrected the errors of discipline that painfully distinguished the administration of our prisons.

Let us hope, let us believe, that in this spirit of prudent zeal the affairs of our Society will hereafter be conducted. Let us resolve to make each success a point of departure for other efforts; and while our founders could not have dreamed of the eminent success which has resulted from their earlier efforts, let us not forget that "success is the parent of success;" many objects become plain as we view them in the light of experience; many beneficent plans for the future lie concealed in the scheme of the present hour, and the achievement of one good work is the parent of a glorious progeny.

Take the various plans of the Society for Alleviating the Miseries of Prisons, and it will be confessed that they were scarcely considered possible—rather they were scarcely considered at all, by the workmen. Did our early predecessors, who laboured so earnestly and successfully to abrogate the chain gang of convicts in the street, foresee that, instead of the open and indelible disgrace stamped upon the prisoner as he rattled his chain, and with his birchen broom and his wheelbarrow in the street, the convict would be treated like a man, with evidences that his relation with humanity was recognized; that legislation would give to imprisonment the character of improvement, and the offenders

against the law have an opportunity of becoming, if not "law makers, at least not law breakers." If these, our predecessors, are permitted to see and know the progress of the principles which they adopted, they must be gratified at their acceptance, and at the great success which has followed their plans. In that case they cannot be unmindful of the grateful affection with which they are regarded by those who profit by their efforts, and by those who, taking up to advance their work, feel how much is due to those who established such a means of usefulness.

"For if the freed spirit
Heedeth aught beneath the brightness of its new existence,
It must be joyful in the parted ones to know,
That earth remembers them in love."

A rich reward awaiting those successors who faithfully and fully discharge the duty assumed by active membership in our Society.

This Annual Report is sent forth in the hope that it will induce, in reading, enlarged feelings of sympathy in our work; that it will be one means of attaining the end which the Society proposes to achieve. No hope is entertained that, by any sudden effort, or fortunate result, universal approbation and general coöperation will be secured for our efforts. It must be the general movements of the Society, and the good results of those movements, that are to operate in its favour. Ebullitions of suddenly excited zeal may shew an evanescent popularity, but that would rather retard than advance true progress. The officers and acting members of the Society have sought to avoid unavailing

contests and unprofitable altercations. Their wishes, their efforts, have been to have everything connected with its administration "done in decency and order."

We have had less occasion this year, than in former years, especially last year, to speak of great efforts by States and Nations to establish penal and reformatory Institutions. Each year furnishes ample subject for our Journal. But this year we have, for special reasons, dwelt with unusual earnestness, at an unusual length, upon the question of "*Systems*." And we have sought to sustain our arguments in favour of the "Separate System" by examples of enlarged adoption in consequence of carefully noted experience of its superiority.

We commend our statement to the approval of the public, whose interests we mean to serve, in correcting the principles of an important portion of the community, and we commend our labours to the consideration of the philanthropist, and to the blessing of Him from whom cometh down every good and perfect gift.

JAMES J. BARCLAY,
President.

Attest:—

EDWARD TOWNSEND,
JOHN J. LYTLE,
Secretaries.

PHILADELPHIA, *January 1, 1880.*

TREASURER'S REPORT.

APPENDIX.

NINETY-FOURTH ANNUAL MEETING,

AND

PUBLIC ANNIVERSARY,

OF THE

Philadelphia Society for Alleviating the Miseries

OF

PUBLIC PRISONS.

THE Society met at 109 North Tenth street, at five P. M., First Month, 22nd, 1880. James J. Barclay presided, and submitted the Annual Report, which was adopted, and seven hundred and fifty copies ordered to be published and circulated.

The following Resolutions were adopted:—

Resolved.—That we sincerely sympathize with our esteemed friend and Vice President, Hon. Joseph R. Chandler, who is confined at home by illness, rendering it impossible for him to attend the Annual Meeting, to which he had looked forward with the deepest interest, expecting to have been present, as has been his custom through a long series of years, and whose absence now deprives us of his wise counsel and genial communication; and we transmit our heartiest desire for his speedy restoration to health and

to those duties in behalf of the reform of prisons and the prisoners, for which he is so happily qualified, and which, with all their difficulties, afford him peculiar pleasure.

Resolved:—That we cannot appropriately close the ninety-fourth year of the Philadelphia Society for Alleviating the Miseries of Public Prisons without referring to the decease, in his 74th year, of our late valued coadjutor, E. E. Wines, L.L. D., of New York, Secretary of the National Association of the United States for the Prevention and Repression of Crime. Dr. Wines had acquired a national and international reputation by his long and eminent services in behalf of penal jurisprudence and the treatment of criminals. He had proposed, organized and attended the Prison Congresses of this and foreign countries. On his last visit to Washington, to present his report in the Congress of Stockholm, he secured the adhesion of President Hayes, the Cabinet, and the Judges of the Supreme Court. He felt his physical strength giving way, and his last communication said, in touching and eloquent terms:—"Individual activity has its limits, which are fixed immutably by a Divine decree. These limits have been reached in my case. Others must take up the work at the point where it now stands, or its progress must be arrested. For the little remnant of life that remains, I cast myself on the goodness of Divine Providence. Instruments are nothing. What becomes of them is nothing. The work itself is the supreme interest, and my supreme desire is for its steady, onward progress. Let but this be assured, and I shall be content."

Resolved:—That although Dr. Wines did not throw his influence in favor of the Separate System, which we hold as the most efficient, he still opened the way for its being better known, and we feel his services in the general subject of prison reform are entitled to our recognition.

The Treasurer reported a balance of \$770 78 in the Treasury, and a credit of \$1,187 30 to the "Barton Fund."

An election was then held for officers, and the meeting adjourned to meet at Trinity M. E. Church, at 8 o'clock, P. M.

PUBLIC ANNIVERSARY.

THE public meeting was opened with prayer, by the Rev. J. Y. Ashton, and music by the choir. The President, James J. Barclay, stated that the object of the Society was the reformation of criminals, the protection of society, the prevention of crime, and the obtaining of employment and homes for those who are discharged from prison servitude.

Prior to the Revolution Philadelphia had a society that devoted its efforts to the support and encouragement in well-doing of discharged criminals. The prison of the City was the old Walnut Street Jail, in which debtors were confined along with criminals of all grades. There was no effort at separating the offenders, and the result was found to be the hardening of the wicked and the deterioration of those who were taking their first lesson in crime.

The Society organized regularly in 1787. They saw that sending prisoners out to clean the streets subjected them to the jeers and contempt of passers-by, and by destroying the remains of self-respect left very little reformatory material. The prisoners were hardened, and satisfied the law only to return to its custody within a brief time after their discharge. To ameliorate their condition in this respect became one of the principal objects of the Society, and along with it the amelioration of the penal code, which was all too thickly studded with offenses made capital. Their efforts resulted in radical prison reform. Instead of herding them together, often with a common dormitory, cells were introduced, and what was regarded, by all, as a model prison, was built. The humanitarians, who were devoting their time to this great purpose, saw that true reformation of the prisoners could be accomplished only by the Separate System of confinement. Unfortunately, the law authorizing such an institution introduced the word "Solitary." That was not the pur-

pose of the Society; neither is the Eastern Penitentiary, which is the outcome of their efforts, a place of solitary confinement.

Again, the Society interested itself in preventing the incarceration of children, and the House of Refuge, established in 1828, is another of its achievements.

The County Prison has been conducted on as much the same plan as the crowded condition of the prison permits.

The reformatory work of the Society is accomplished by visits to the prisoners in their cells, conversing with them and exhorting them to better ways, and by giving them needed assistance when they come out. The County Prison is now too crowded. The beneficent objects of the Society cannot be compassed as long as there are three or four prisoners in each cell.

He mentioned as pressing needs of the Society, to perfect its reformatory labor, more room for prisoners, so that their separation will be complete and the State law on the Separate System observed; a fund for assisting discharged prisoners, who prove themselves especially deserving, to obtain tools, etc., to aid them if sick or suffering; to help them reach distant homes and to relieve necessary wants.

Letters were read from HON. JOHN W. FORNEY, REV. H. W. BELLOWS, and HON. D. J. MORRELL, regretting their inability to be present.

Hon. Henry M. Hoyt, Governor of Pennsylvania, was introduced, and said that he came to the meeting in the attitude of a learner, and did not wish to speak. He was not acquainted with the discipline of prisons, and he was there to get the results of the experience of those benevolent gentlemen who were. It was, he said, a great satisfaction that humane men and women, in establishing agencies for the alleviation of human misery, attention to those undergoing punishment had

not been overlooked. The Society which he had the honor of addressing was a credit to the beneficence of the City of Philadelphia. People are apt to think the punishment of criminals self-imposed. The result is that they are slow in giving them either sympathy or aid. It was an eminently proper and humane thing that some one should get access to, or help those, whose bodies the State owns for the time being, but whose souls are free, and to which neither the State nor any one, except the owners themselves, have a right.

Hon. Richard Vaux alluded to the organization as the first one of its kind in the world. Convict punishment, he said, has become a science, and you, ladies and gentlemen, must get out of the humanitarian way of thinking, and leave behind all benevolences when dealing with or discussing the question. As it is a science, you must look at it in a scientific light. It is the people outside of prisons who must be considered, not alone those who are inside. Causes of crime must be regulated and governed. Thirty-eight years experience in dealing with criminals, will convince one who will give that time to it, that of all things now needed in Pennsylvania is an institution that will teach young men that labour is no degradation.

Statistics show that of all the convicts under twenty-two years of age, seventy-five per cent. are what they are because they received a smattering of education and tried to get a living without work. I don't believe in a House of Refuge or a Reformatory. I want a *school* where young men may be taught a trade. Take care of the young men who are becoming criminals. The convict question will then regulate itself.

Hon. Wm. S. Peirce, Judge of the District Court of Philadelphia, spoke on the question of "convict labour" as a reformatory influence in connection with prisons and prisoners. He thought that the importance of the subject, in this connection, had been sadly overlooked. He advocated the working of convicts so hard as their physical condition would allow

for while heart education was also good, it was not as important at the outset as the education of the body. When Adam fell, God did not put a tract in his hand or talk religion to him. He told him to earn his bread by the sweat of his brow. The records of the Eastern Penitentiary for 1879 showed that of the four hundred and eighty-seven convicts received there four hundred and five were unapprenticed and knew no trade. Of the remaining eighty-two, there were twenty-two who had served only a portion of their apprenticeship, and only sixty who had really acquired trades. Four hundred had attended the public schools. So much for head education. It certainly did not keep them out of prison.

There is too much taught in the public schools. There are too many books and too many pages to a book. More money must be spent in industrial education.

It may be asked what are all the mechanics to do? How are they to be employed? It is a suggestive fact that there are fifty thousand English mechanics employed in the industrial arts in this City. They came here because there is a demand for skilled labour. Now as to the employment of convicts in skilled trades there are various opinions. In the speaker's opinion they should be so employed, even though the product of their labour had to be destroyed. Keep him so hard at work that the intervals must be spent in rest. Give him no time to be idle and study vice. Teach him that his work is worth something, and when he gets out he will probably find it better to labour in liberty than to expose himself to the risk of doing it again by compulsion.

William N. Ashman, Judge of the Orphan's Court of Philadelphia, presented the Annual Report of William J. Mullin, the Agent of the Society at the County Prison, and spoke of the good work that gentleman had accomplished during the past year in securing the release from prison of innocent persons, and those confined for offenses not worthy of punishment.

Charles Rogers, a member of the Acting Committee, was introduced, and touched upon the manner in which the work of the Society was conducted, and its urgent need of funds. In referring to the question of whether convict labour was detrimental to the interests of the honest working classes, Mr. Rogers showed that the total value of the products manufactured in prisons is only two-thirds of one per cent. of the whole of the products manufactured by free labour.

Benjamin L. Agnew, D. D., spoke eloquently in favour of exercising kindness toward convicts, and said that he did not believe there was a criminal, in all the world, so hardened or depraved that tender words and kindly deeds would not soften and elevate his nature.

He was listened to with intense interest as he presented the whole subject of prison discipline.

Resolutions of thanks to the trustees of the Church, to the Choir, and to the speakers, for their acceptable and voluntary offerings, were adopted.

HENRY M. LAING,

Secretary pro tem.

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1880.

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THE AMERICAN SOCIETY OF THEOLOGICAL STUDENTS
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NEW SERIES.]

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THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY.

PUBLISHED ANNUALLY
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"
INSTITUTED 1787.

JANUARY, 1881.

PHILADELPHIA:
THE CHANDLER PRINTING HOUSE,
Nos. 306 AND 308 CHESTNUT STREET.
1881.

CONSTITUTION

OF THE

Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not canceled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt, (the usual attendants of prisons,) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity their undue and illegal sufferings may be prevented; the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes they have adopted the following CONSTITUTION:—

ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors, and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society, within thirty days, for the purpose of holding such election, of which at least three days' notice shall be given.

ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call Special Meetings whenever he may deem it expedient; and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

NEW SERIES.

NO. XX.

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY.

PUBLISHED ANNUALLY,
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY
FOR ALLEVIATING THE MISERIES OF PUBLIC
PRISONS;" INSTITUTED 1787.

JANUARY, 1881.

PHILADELPHIA:

1881.

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THE CHANDLER PRINTING HOUSE,

Nos. 306 & 308 Chestnut street.

1881.

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ROOMS OF THE
PHILADELPHIA SOCIETY
FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,
No. 109 North Tenth Street.

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month, (January,) 19th, 1882, the Editorial Board (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of EDWARD TOWNSEND, ALFRED H. LOVE, HENRY M. LAING, CHARLES ROGERS, JOHN J. LYTLE, presented the draft of the Annual Report, which, being read by the Acting Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At the Ninety-Sixth Annual Meeting of the Society, held First Month, 26th, 1882, the Report was presented by ALFRED H. LOVE, of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have seven hundred and fifty copies printed, with authority to make such alterations and additions as they might think proper; and they were also authorized to distribute the Report.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE,
Secretary.

JOURNAL OF PRISON DISCIPLINE.

NINETY-FIFTH ANNUAL REPORT OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

IT is a pleasant duty of your acting Committee, in the full tide of its labors, to submit the ninety-fifth annual report.

Very few organizations can boast as venerable an age, or a record as memorable, for unostentatious and disinterested philanthropy.

Comparatively few persons are acquainted with the authority under which the society exists and the high purposes of its organization, and we fear fewer are familiar with the importance of the work, and the faith, patience and time required for its performance.

It was in 1787 that the Society was founded, and the highly esteemed Rt. Rev. William White, D. D. was chosen, and for almost half a century continued, its president.

The constitution contains these emphatic words :

“ When we consider that the obligations of benevolence which are founded on the precepts and examples of the Author of Christianity, are not canceled by the follies or crimes of our fellow creatures ; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt, (the usual attendants of prisons,) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those

miseries. By the aid of humanity their undue and illegal sufferings may be prevented; the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness."

The act of the Legislature of April 23, 1829, conferred the full power of visiting the prisoners in their cells by the following language: "No person who is not an official visitor of the prisons, or who has not a written permission according to such rules as the inspectors may adopt as aforesaid, shall be allowed to visit the same. The official visitors are the Governor, Speaker and Members of the Senate, the Speaker and Members of the House of Representatives, the Judiciary of the Commonwealth, the Judges of the Supreme Court, the Attorney General and his deputies, the President and Associate Judges of all the Courts in the State, the Mayor and Recorder of the cities of Philadelphia, Lancaster and Pittsburg, Commissioners and Sheriffs of the several counties, and the Acting Committee of the Philadelphia Society for the Alleviation of the Miseries of Public Prisons."

"None but the official visitors can have any communication with the convicts."

With these provisions the Society provides for an Acting Committee, which the constitution declares "shall consist of the officers of the Society *ex officio*, and fifty other members, who shall visit the prison at least twice a month, inquire into the circumstances of the prisoners and report such abuses as they shall discover to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners.

These extracts from the constitution might seem to cover the whole ground, but there are duties, privileges and opportunities which the Visiting Committees appointed by the Acting Committee, or rather into which the Acting Committee is

divided, that no clause in the constitution seems to comprehend. The words "visit the prison" mean more than a visit to the institution or institutions to which these visiting committees may be delegated, they are intended to insure the visiting of prisoners at or in their cells. The visits *in* the cell with the outer door partially closed, when work is suspended, are preferable to those made *at* the doors. There is need of a quiet, personal, private interview, when the confidence of the prisoner is more easily secured, and when the opportunity offers for laying the foundations of a new life with the highest purposes.

The State Penitentiary for the Eastern District of Pennsylvania, located on Fairmount Avenue and 21st Street, covering some ten acres of ground and containing about one thousand prisoners, and the Philadelphia County Prison, in the old Moyamensing district, covering the square from 10th to 12th Streets, and Wharton to Dickinson Streets, are the institutions receiving the immediate care of the Acting Committee. Their labors and privileges are, however, not necessarily confined to these, simply because they are located in the city of Philadelphia, many interesting and valuable visits have been made to the county jails, and where there has been need of reform that need has been brought to our notice, and efforts have been made to secure the desired changes.

Apart from these important visits made beyond the limits of Philadelphia, there have been reported 385 different visits to the penitentiary during the year 1881; 3097 interviews have been reported in the cells and 2317 at the cell doors. An average of 318 separate or individual prisoners were visited each month, some doubtless receiving a number of visitors each year, as the Acting Committee divides and subdivides, a visitor will be delegated to a certain corridor or part of such, so as to insure all being visited, and if possible each twice a month.

These reports during 1881 were made by the visitors of the Acting Committee, or such thereof, as could attend to the duty. Some and indeed most of these reporting each month, or rather each meeting of the committee.

From the County Prison there were 144 visits reported, with some made that were never reported, while there were doubtless twice as many made to each institution as are noted, and each item can safely be doubled, from the fact that some members though visiting faithfully fail to make reports. In addition to these visits a few of the visitors have held public service with the prisoners, which is done by taking a stand at the head of a corridor, opening each cell door about ten inches so the sound can enter, and yet not permitting the prisoners to see each other, or to be seen by any unofficial visitors who might happen to be present.

These opportunities are considered fruitful of good results. The subjects are those of temperance, honesty, and such as are practical and religious in their character and tendency, without being sectarian.

The assembling in the Eastern Penitentiary at 9 o'clock on the morning of the first day of each week, under the care and charge of the moral instructor, Rev. J. Y. Ashton, of about 75 persons, comprising a few speakers and many singers, is a remarkable feature of reformation. Of this number there are old and young persons of various denominations, and they divide off into corridors, with some one to speak to the prisoners, and then the different choirs select such well known hymns as the prisoners can unite with, each being furnished with a book, the prisoners of course in the cells, but the doors so arranged that they can hear without being seen. At a quarter past 10 o'clock all these companies reassemble in the centre and sing in concert, causing the whole institution to seem to be filled with a religious fervor which cannot fail to produce favorable results. In visiting the prisoners at the time or immediately

after these exercises there has been found a deep appreciation of the kindness and sincere aspirations for a better life ; while on the other hand in mingling among the singers, the men and women who thus devote their time to bless the prisoners, there has been discovered the reactionary feeling of good. No one can dispense the "bread of life," be it by word or song, by gift or visit, by touch or by hearing, but there will be a return to the giver that will be true nourishment to the soul, and these friends go forth to the duties of the week profoundly impressed with the knowledge that they leave behind the thick walls, human beings who are not wholly lost to such humane attentions, and who appreciate these almost unseen and sacred offerings brought to the altar by those with whom the "cruse of oil " doth not fail.

Long may it continue to animate the best impulses of mankind, to thus care for those who may not have cared for themselves, and heed the injunction with the comforting promise : "I was in prison and ye came unto me."

These religious exercises, so earnestly encouraged by Rev. J. Y. Ashton, deserve commendation. We have seen him after every corridor has been shut off, standing in the centre with tears in his eyes, thankful that he has been enabled to perfect this work, and have heard him say, "See, here are eight different persons holding religious services with these poor people in their own way, and representing perhaps as many different denominations, and none of them receiving any compensation except that inward satisfaction which says : "Inasmuch as ye have done it unto one of the least of these, my brethren, ye have done it unto me."

A system that thus regards the spiritual and temporal welfare of prisoners, would be incomplete without a well-furnished library, containing books sufficiently varied in kind to interest and instruct, and, at the same time, selected with care, and while not coldly religious, are standard and liberal.

From this fountain of knowledge the prisoners can draw, and they are at liberty to select the books suited to their tastes.

As to *employment*, it has long been regarded as the wisest part of the management of a prison, to introduce such work as will constantly employ the prisoners, and we find they generally desire it, and when deprived of it, the time hangs heavy and they grow morose. Labor is good for us all, and the blessing seems increased where liberty is denied.

At the same time, those who become inmates of the prison are often without the knowledge of a trade and unaccustomed to habits of industry. If the setting to work such persons had no other object than to teach them how to labor, it would of itself be a gain; but when added to this is the learning of some branch of industry, that may be the means of affording a livelihood when discharged, the system is worthy of the highest commendation. It not only dignifies the workman to be able to work, but emulates labor as the evangel that aids in restoring and elevating man.

As a further encouragement, there has been established a schedule of prices for the work, enabling the prisoner to make something for himself after his task has been completed. This "over-work system" has the effect of interesting the prisoners in their work; they not only strive to perform it well, but rise early and continue late that they may lay by something to start with when discharged. Others will send out to their families or friends in indigent circumstances the results of their labor, and the Warden is always pleased to assist them, either by depositing the amount or forwarding it as requested. The prisoners who make overwork must first pay their keep, which is credited to the county. During 1881 about \$20,000 was earned from overwork, of which about \$10,000 was sent out to the families of prisoners or their friends, or credited to them to be paid them when dis-

charged, the result of this overwork, and which seems a very large sum when we consider the prisoner is allowed only one-half of all work performed over his allotted task, the other half being credited to the respective county from which he was received.

As an evidence of the sympathy one prisoner may feel for another, and at the same time manifest it by practical aid, there were in one cell two men (a necessity which exists at times of placing two together because of the over-crowded condition of the Penitentiary), one had been the captain of a vessel and was too old and too unused to work much, and did not fully understand the kind of work allotted him, while the other was young and a good workman. The old man had a family dependent upon him for support, and he occasionally heard of their distress; the young man had no family, but feeling so deeply for his fellow-prisoner, although an entire stranger to him, arose very early and applied himself with the greatest diligence, performed his daily task, and was enabled to make a very fair amount above it. This amount he gave to the wife and children of his companion in prison, although he had never seen them.

Notwithstanding there are cases where from incompatibility of disposition, as well as from other causes, there are disturbances between prisoners thus forced to share the same apartments, it is a pleasure and an encouragement to those who visit them and labor to do them good, to find that generally there is praiseworthy consideration shown. For instance, when the meals are handed in one will very often pass it to the other, seldom striving for the largest share, and when one is sick, the other will faithfully nurse and minister, even to sitting up all night.

Recently an evidence of the tenderest care was manifested to a dying prisoner, his companion giving him the best attention, his pillows and anything sent him from his family and contributing as far as possible to all his wants.

Another instance of sympathy was exhibited in a prisoner who had a clock given him, and it may be noted that a clock is a species of company and a real comfort to one in confinement ; his term of imprisonment was about to expire, while his companion had a number of years to remain, and feeling that deep sympathy for his companion, he gave the clock to him, saying, " I shall soon be out and you will want company, I may never see you again, but you may have my clock, for though I am poor, I shall now have a chance to make something."

It is these encouraging cases that stimulate the visitors, and indeed every one connected with the institution.

The shortening of sentences by good behavior, was one of the wise reforms of several years ago, and to the introduction of which, our deceased friend and Vice-President, Townsend Sharpless, gave many years of his life. He did not live to see his proposition finally adopted and in successful operation, but we can record many remarkable cases where it has stimulated the prisoner, and indeed been the means of, as we believe, permanent reformation.

There may be an advanced view of even this reform, of offering premiums for well-doing—we should say these reforms of premiums for being good, in contradistinction to the old style of penalties for wrong-doing, for the giving of books, the frequent privilege of writing home, the pay for overwork, and the shortening of time by good behavior, are all among the premiums, as well as the change of diet, with some little additions of food on the holidays. We say there may still be a larger, broader view of this, for we should never rest satisfied and feel that there can be no improvement. We mean by this, the *doing away of time sentences*; and treating crime as we would disease. Now, the judge sentences according to the book or the law: so many years for this or that offence; he does not study the

character of the person convicted of crime; he does not look into the circumstances surrounding his life, and can not tell how long it may be before the person may reform. On the other hand, he cannot tell whether or not he will be fit to be discharged when he shall have served out his time.

If the convicted person were to be sentenced to the Penitentiary for an indefinite period, and a Committee or Commission appointed to act in conjunction with the Inspectors, Warden and other officers, they could tell when the prisoner was in a suitable condition to be discharged. We have seen cases where there was apparently entire reformation, and at least evidence sufficient for another trial at liberty, and yet the sentence would still stand for years. With such there is discouragement and necessary tax upon the public and the institution. On the other hand there have been prisoners whose terms are about to expire, and they feel full of revenge to their persecutors, and declare they will have what they call "satisfaction," and go out with the intention of committing crime. They can demand their liberty under the law. Such persons have not had the reformatory treatment long enough; their disease has not been cured; they should remain until there is a change.

Here is a thought that may ripen into perfecting even our present good system, and everthing we can do from our experience in this work should be presented to a thoughtful and philanthropic public.

"Experience joined to common sense
To mortals is a providence."

Among the gratifying reports that have come to our knowledge is that from the Matron of the Eastern Penitentiary, Mrs. Susan McCoy. She states that after an engagement of about ten years she has known of but one recommitment among the women. True, there are but some 25 females in

the Penitentiary, while there is an average of 1000 males. Still, the fact is worthy of special recognition, and is important as an evidence of wise management and the beneficial influence of the separate system.

Perhaps no event since our last report proves more conclusively the value of separation than the startling incident of the first of the year.

It was between 7 and 8 o'clock of the evening of the 1st of January, 1882, the first day of the week, that a fire was discovered under the roof of the seventh block of the Penitentiary. Some of our Committee had been there in the morning holding religious service with the inmates, and visiting from cell to cell, and when the report came that the Penitentiary was on fire we hurried to the spot, thinking there might be need of our services. Although the fire was subdued in an hour, and was confined to a small space, still the alarm of fire had been given, and the falling of parts of the roof into the corridor, and the rushing of torrents of water into the block where the fire originated, naturally alarmed the prisoners in this locality, where nearly 200 were confined. At first they screamed and pounded for help, but when the Warden went through the corridor and assured them there was no danger, and that he should be mindful of their lives, they became quiet and awaited the result. A few prisoners were removed from the immediate proximity of the fire for fear of suffocation, but there was no attempt to escape, and nothing but implicit confidence in the officers. After the fire was extinguished, in conversing with the prisoners of the seventh block they said, "We were very much alarmed, being so closely and securely confined, but we knew there was humanity enough in you to take care of us if there was any danger." The prisoners in other parts of the Penitentiary remained perfectly quiet, as few, if any, of them knew anything of the fire at the time, thus showing the control that the officers had over the place, and how readily such a

calamity can be managed. Had this fire occurred in a congregate prison, and especially in the day time, with over 1000 prisoners, who can tell the consequences that might have ensued?

In addition to these excellent arrangements there had been introduced by the late warden, Edward Townsend, and continued by his present efficient successor, Michael J. Cassidy, a practice which, no doubt, has contributed to the good order, confidence and general prosperity of the Penitentiary, and which enabled the Moral Instructor to say, in his address on the first of the year: "That the record of 1881 was perhaps the best that had ever been made since the Penitentiary was built." This practice or order is the assembling by the warden, in the early evening of five days of the week, of the employes of the institution, and his conferring with them, reading to them, and addressing them on the philosophy of prison-keeping. As he very pertinently remarked: "Persons are not born prison-keepers." "They need to be taught many things." To every reflecting mind it will be apparent that here is a wide field for labor, and must be accepted as a movement in the right direction to introduce it everywhere. May it go forth to the world as an excellent example.

Instructive works can always be found from which to read, on penal servitude, and how human beings can best be managed, with a view for their reformation; and the calling upon the keepers to give any experiences they may have had during the day, develops a high standard of humanity, and tends to perfect the system.

Viewed intelligently and humanely, it is no small matter for one class of men to have entire control of another set of men, and to have them behind great iron doors. It is, therefore, a remarkable innovation, in prison-keeping, to have such a regulation as that which has been introduced but a few years, and has been found worthy of continuance.

As we have referred to this one act of the former warden, Edward Townsend, we regard it as an opportune time to present the Memorial Resolution, adopted during the past year, in relation to his eminent services :

MEMORIAL.

RESOLUTIONS OF THE ACTING COMMITTEE OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF THE PUBLIC PRISONS.

WHEREAS, Edward Townsend, a faithful member and officer for over thirty years of the Philadelphia Society for Alleviating the Miseries of Public Prisons, now nearing the one hundredth year of its existence, has, for eleven years, served as warden of the State Penitentiary of the Eastern District of Pennsylvania, with commendable devotion, and

WHEREAS, The duties of this position, always severe, became too onerous for his condition of health, and induced him to resign, therefore

Resolved, That while we are aware that any mere laudation of his services would be distasteful to him, we feel it a duty and a pleasure to record our appreciation of them, inasmuch as they have benefited the moral and physical condition of the prisoners, advanced the science of Penology throughout the world, strengthened the respect for the separate system, and conferred credit upon our Society.

Resolved, That we regard Edward Townsend as peculiarly qualified for the responsible position to which he was called, without his solicitude or knowledge ; his long acquaintance with the work ; his sympathy for the misguided and fallen ; his judgment in treatment ; his patience ; his firmness ; and his keen perception of the moral and religious duty we owe mankind everywhere, rendered him eminently fitted to meet the demand upon him ; and at a time when the Penitentiary contained more inmates than at any previous period.

Resolved, That we have ever felt thankful that the Board of Inspectors had the wisdom and judgment to appoint one of our members to the office of warden of the Eastern Penitentiary, and that we had in Edward Townsend one who could fill the situation so satisfactorily; who always solicited their co-operation and desired to carry out their suggestions; offering his own when convinced they were right, and having the encouragement of finding them approved.

His constant desire was to develop the manhood and womanhood of the prisoners, by increasing their own self-respect.

He especially encouraged the greatest cleanliness, and early introduced bed linen and its frequent change, and the more general use of knives and forks at meals; he regarded even the looking-glass and the little amenities of life, as important auxiliaries to reformation.

Previous to his appointment, prisoners were not allowed to write home oftener than once in three months; but he felt that it would be conducive to good order and reform to allow them, if well-behaved, to write monthly, although this greatly increased his duties.

He introduced a more frequent change of diet, as a wise sanitary regulation.

He increased the number of cells by the wise economy of employing the inmates of the Penitentiary as builders and workmen, and returned to the State a portion of the appropriation which he found was not required.

He removed the women from cells on the second floor to those on the first, where they could have the opportunity of a change by out-door exercise.

He gave additional and varied employment, having in view the instruction in such trades as would help the discharged in earning a living, among them the manufacture of their own flour. He abolished all corporeal punishments, permitted none of his officers to carry deadly weapons, and for some three years had few or no commitments to the dark cells.

His treatment for correction was to deprive the disobedient of

their few comforts and privileges, until they yielded to discipline, that they might learn "it paid to be good."

He heard complaints patiently, and treated those who imagined themselves aggrieved with that consideration that eventually won their obedience and tended to their reformation, resulting, as we believe, in a decrease of the number of commitments.

His will power, and the respect prisoners showed him, permitted him, on one occasion, to send to Pittsburg, through our city, and on the railroad, twenty-seven notorious prisoners, in the public conveyance, with but six overseers, and they unarmed.

At the suggestion of Richard Vaux, the President of the Board of Inspectors, he assembled the officers of the Institution five evenings each week, and instructed them in the true philosophy of prison-keeping and the requirements of their position.

Resolved, That we can testify for a feeling of regret among many of the prisoners at the resignation of one whom they regarded as a friend, and who had a remarkable control over them; and we sincerely trust he will be long preserved to continue a member of the Acting Committee, and to make frequent visits to the Penitentiary, and to those confined therein.

It has been asked, How do we manage with German prisoners? True, there are nearly one hundred Germans who do not converse in English; these are visited by one of our German members, and they are taught to read, write and speak our language.

The questions have also been asked, are there any insane prisoners, and if there are any, do they receive competent treatment? Our reply to these is, that it is sadly true there are some insane prisoners. Not that the system of separating one bad man from another and treating prisoners individually produces insanity, for that would be farthest from the truth. *The separate system does not produce it!* But persons are sentenced to the Penitentiary either insane at the time, or having all the elements of insanity about them from their habits or circumstances, and when placed in confinement such

a state is sometimes developed, but *never originated*. However, to avoid having insane prisoners in the Penitentiary, as it is no place for them, earnest efforts were made in February of 1881 to relieve not only the prison of such, but relieve the prisoners of a condition of treatment entirely unfitted for their diseased minds. A resolution was adopted looking to interesting the Board of Public Charities and the Legislature and all persons, in their removal to Norristown to the new Insane Hospital. A lively interest was awakened, and a few removals took place, but not at all sufficient. It is very clear that more labor must be spent in this direction. The former Warden said emphatically insane persons could not have at the Penitentiary the treatment they required. He endeavored to do the best he could with them. He has taken them out of the cells and walked up and down the corridors with them to give them a change, but he had not the time for this ; was never appointed to take care of insane persons, and they cannot have that medical and other treatment they require. We trust further efforts will be made in this direction, Is it fair to place the insane criminal in the small cell and under the rigid treatment that is given the criminal that has full possession of his mental powers? We greatly need more care of those unfortunate beings who may be classed as insane criminals. In every one there are some sane qualities ; let those be worked upon and developed, and let such as are insane, while guarded, be if possible ignored ; in other words, more of wise liberty and less of straight-jacket restraint.

The following is the text of the resolution adopted on the subject :—

At a stated meeting of the Acting Committee, held 2d mo., 17th, 1881, ALFRED H. LOVE offered the following Preamble and Resolution, which were approved :—

WHEREAS : We are informed that there are a number of prisoners in the Eastern Penitentiary who were at the time of their commit-

ment insane, and believing that such an institution is not the proper place either for their treatment as insane persons or for their reformation as criminals, and that imprisonment of such was not contemplated in the establishment of this Penitentiary, and their care imposes an unjust burden on the Warden and other officers ; therefore

Resolved, That we appeal to the proper authorities, and to the public, for their removal from the said Penitentiary to such an asylum as shall give them the care required, and at the same time protect society from their acts of criminality, whatever they may be.

On motion of Dr. Chas. E. Cadwalader a committee of three was appointed to carry into effect the above resolution.

Dr. Chas. E. Cadwalader, A. H. Love and William J. Mullin were appointed the committee.

There had been introduced into the Legislature a bill to establish "the whipping post for husbands who beat their wives," and regarding this as a gross violation of the high standard of the treatment of criminals that this state had attained, prompt action was taken in opposition to its adoption, and the following memorial sent to the Legislature :—

At a stated meeting of the Acting Committee, held 3rd mo., 17th, 1881, the following memorial to the Legislature was adopted :—

To the Senate and House of Representatives of the Commonwealth of Pennsylvania :—

WHEREAS, a bill has been presented to the Legislature looking to the establishment of "whipping men with thirty lashes who beat their wives or other females ;" and

WHEREAS, The "Philadelphia Society for Alleviating the Miseries of Public Prisons" is most decidedly opposed to any such law, and hold that it would be a retrograde step for the State to take, that the present system is a far better remedy ; that it would brutalize the law, the executioner and the victim, and counteract the

moral influences that are now thrown around the prisoner, therefore

Resolved, That we present this memorial with the hope that the said bill shall not become a law.

Resolved, That deprecating the whipping of a wife or of a female, we shall favor the enactment of such a law as will subject the wife beater to additional imprisonment upon a second or third conviction.

Resolved, That a committee of three shall be appointed who shall have power to write to our fellow member, George W. Hall, of the House of Representatives; and if necessary to prevent the passage of the bill, to proceed to Harrisburg and more directly present our objections to it.

We were gratified to learn of the defeat of the proposition, and it becomes us to watch all such legislation, and to be ready to maintain our present system of reformation through those moral means which will elevate the character of the prisoner, and that will develop and not degrade still lower the manhood and womanhood of a single human being. At the same time we had wise suggestions presented for the better protection of wives who may be abused by husbands, the most prominent of which was, that upon subsequent convictions the term of imprisonment should be increased.

In the early part of the past year a dreadful tragedy occurred in one of the cells, clearly the result of placing two bad men in the same apartment. This brought prominently to our notice the impropriety, and indeed the illegality and criminality on the part of officials, of the custom of placing more than one person in a cell. Where there is no change, and no strong moral foundation, it is not strange that there might be quarreling between those locked for years in a small cell, strangers to each other, and with dispositions thoroughly incompatible. It seems here was a want of congeniality, and hence trouble

was likely to come. We record with pleasure that the Warden endeavors to avoid these unhappy occurrences by selecting persons of similar dispositions, whenever it becomes necessary to place more than one in a cell ; but the difficulty must be apparent to every one who will contemplate the continuous living together in these cells without change, partaking of food together, sleeping in the same apartment, dressing and working together. What monotony ! It is not right, it is not legal, it is not " doing as we would be done by," and it ought to be stopped !

We sent the following Memorial to Harrisburg, adopted 3d Month 17, 1881 :

To the Senate and House of Representatives of the Commonwealth of Pennsylvania :

Again a terrible tragedy has occurred in the Eastern Penitentiary, the result of a departure from the Separate System, and in direct contravention of the law of the State—one prisoner brutally murdered his cell-mate, and then committed suicide.

We earnestly petition for a return to the Separate System, for which the Eastern Penitentiary was built, and which is in accordance with the law, either by another building, or by requiring the counties to provide for county prisoners. We deem it unnecessary to extend remarks expressive of our condemnation of the practice of putting two bad men together in a small cell intended for but one person. Think for a moment of strangers, steeped in crime, placed in the same cell, day in and day out, compelled to eat, sleep, and work there ; and then imagine the controversies that may arise between them, as they do between those who have their freedom ; the anger and passion ; the strong over the weak ; the possible insanity ; and then the impossibility of assistance being rendered to the weak and injured party, and we cannot escape the conviction that the State that will allow this condition, is not entirely without blame, and is wanting in a common humanity not to relieve it, so that there may not be a repetition of the horror.

Last summer we appointed delegates to the National Conference on Charities and Corrections, held at Boston, and received interesting and valuable reports. Among those who attended were Hon. Richard Vaux, Dr. Charles E. Cadwalader and Joseph G. Rosengarten, Esq., the last-named of whom contributes the following paper :

THE BOSTON SOCIETY OF CHARITIES AND CORRECTION, AND ITS
LESSONS IN PENOLOGY.

The part taken by the Philadelphia Society for Alleviating the Miseries of Public Prisons in the Boston Conference justifies a full account of its proceedings.

Pennsylvania was represented by a State Delegation appointed by Governor Hoyt, who showed his interest in the subject by selecting for this office those who are known in various branches of Charity and Correction. The State Board of Charities, the Prison Society, the Eastern and the Western Penitentiaries, the State Lunatic Asylum, the Charity Organization Society, the Society to Protect Children from Cruelty, and a number of local institutions, were also represented. Other States were much more largely represented, and the number of Boston and Massachusetts representatives brought the total of those in attendance up to a very respectable audience, while the ninety persons who spoke during the six days of the Conference had much to say that is well worthy of being preserved, permanently, in the handsome volume of its Proceedings.

The Seventh Section of its Contents (pp. 250-270) is especially devoted to the subject of Crime and its Penalties, with essays and papers pertinent to that heading ; "The Model Prison," by T. H. Nevin ; "Some Thoughts on Convict Punishments," by Richard Vaux ; "Suggestions about the Reformation of Criminals," by W. F. Spalding ; an extended report of the debate on these topics, in which many whose names are familiar to all students of Penology took part ; and, finally, a full description of the Women's Prison at Sherborne, with an account of the visit of the members of the Conference to that institution, one of the most

interesting of all that were thrown open to the visitors in and near Boston.

Small as is the proportion of the volume in question, devoted to the special subject, it must be borne in mind that the general interest is more actively directed to the topics better fitted for public discipline. The Organization of Charities in Cities, Immigration, Preventive Work Among Children, and such highly technical matters as Insanity, Epilepsy, and the Organization and Work of State Boards of Charities, were all discussed at length, both in carefully-prepared essays and in debates, that have, no doubt, been benefited by the pruning hand of the reporter and the editor. It is at least satisfactory to find that Prison Work is assigned its proper place in the proceedings of an association organized to secure the best results for those who are working in the broad field of philanthropy, and to invite all who labor for the public weal.

Mr. Nevin and Mr. Vaux are too well known in Pennsylvania as representative men, standing at the head of the two great Penitentiaries of the State, to require any restatement of their views. The paper of Mr. Spalding may be said to embody the plans and purposes of the Massachusetts Prison Commissioners, whose Secretary he is. He urges an increased introduction of a system of indeterminate sentences, and a greater provision for following discharged prisoners, alike as a means of help to the reformed criminal, if he be such, and as a matter of protection to the public. A system of thorough police supervision has worked with wonderfully good results in England, and if it could be successfully introduced here there can be little doubt that it would protect a man desirous of returning to honest courses, from the evil influences of his old associates, and thus give society a self-supporting member, instead of a new subject for public expenditure in the costly processes of recapture, retrial and reimprisonment. The experience of the prison agents of Boston and of other cities, reported to the Conference, is nearly that of all who are concerned in the difficult duty of protecting discharged prisoners alike from the temptations put in their way by their old associates, and from the difficulties that necessarily environ the efforts of such men to get back to their old places among men not willing to receive on a footing of equality

those who have been branded by the law, stigmatized by conviction, sentence and imprisonment for crime. Perhaps the most striking event of the Boston Conference was the unanimous agreement of its members as to the great excellence of the Reformatory Prison for Women at Sherborne, twenty miles from Boston. The members of the Conference spent the afternoon of Thursday, July 28, in a visit to the prison, and it was thoroughly inspected by others at different times when there was nothing of a holiday guise about it, and the actual working could be seen to greatest advantage. It is entirely a woman's institution, as the Hon. Thomas Parsons, Chairman of the Board of Prison Commissioners of Massachusetts, said, and the plan originated in the minds of women, while its execution and the entire charge of its administration have been successfully executed by women. It is largely cared for by the two women who are members of the State Prison Board, and all its officers, superintendent, chaplain, physician, teachers and prefects, are women. It is a capital example of the actual operation of the system of progressive classification of convicts, regulated by works and extended beyond the walls of the prison. It is by a continued supervision that the inmates are under its control even after they have left the prison, and their care even then is entrusted only to persons fitted for the oversight of discharged prisoners. The system in force provides for a total seclusion of each prisoner during the first week of imprisonment, and for a separate treatment of the old habitual and hopeless offenders, who are as far as possible sent to common jails, so that the work of reformation may be carried on with effective results.

Although there is no formal legislation provided for indeterminate sentences, the same result is attained by a wise experience of the large power conferred upon the State Board, which authorizes the transfer of prisoners who have earned sufficient good marks, from confinement, to homes supplied by visitors appointed by the State, where under the daily supervision of well selected families and with frequent reports to some person near at hand, the work of restoration to honest and clean life is rapidly completed. As against such a system, it is painful to be obliged to record the fact, that even in an institution as well ordered as the Eastern Penitentiary,

there are found in its cells, or from mere over population, the fault of the State, and not of the management or the system, women confined by twos and threes, with so little discrimination, that prisoners who are professional and hardened criminals, are found companions of persons sentenced for infanticide. The very first elements of reformation by prison discipline are violated when offenders against the law, known and easily distinguishable as hopeless of any improvement, are made the instructors of those who have sinned in youth, and under the influence of an overpowering fear of the results of an offence against morals. Of course, until the State provides sufficient prison accommodation to give the Pennsylvania system room for its enforcement, the evils of overcrowding at Cherry Hill must continue, but at least the worst evils of the congregate system ought not to be introduced there. No one could go to Massachusetts from Pennsylvania to attend the Prison Conference, without learning a lesson of the necessity of providing for a State Board, which shall have a large share of visitatorial and even executive authority over all the prisons of the State. The State Board of Charity of Pennsylvania needs the support and hearty endorsement of the managers of every well governed Penal, Reformatory and Charitable Institution throughout this State. It is now only an advisory board, with too little power to enforce attention to its suggestions upon the officers of such institutions, and with doubtful hold upon the legislature, to secure that instant and ready acquiescence in its matured judgments and its well founded recommendations, that are freely, and gladly, and gratefully given in other States. Pennsylvania gives its State Board a nominal, legal status, and denies it that strong moral support which makes other States so much more efficient in their reformatory work. The section of the volume of the Proceedings of the Boston Conference (pp. 37, 97), which deals with Boards of State Charities, is full of instruction on this subject, and Pennsylvania owes it to itself and to its old reputation as the leader in nearly all philanthropic work, to seek out its best men, to put them on its State Board, to clothe them with large power, and to give heed to its advice and to its warning, until this is done, we shall continue to see

time and money spent in deference to political and local influences to little or no good results.

It is gratifying to find that Governor Hoyt has set to work thoroughly to investigate the penal and reformatory institutions of the State and to introduce such existing methods as have proved successful elsewhere. His recent visit to the New York Reformatory at Elmira has been fruitful of instruction.

In pursuance of his wishes and example, the Commission charged with the erection of a Middle Penitentiary, have examined Mr. Brockaway's work at Elmira, and will no doubt ask and obtain from the Legislature authority to apply the system of indeterminate sentences in their new prison at Hollidaysburg. It is, perhaps, to be regretted that even a partial introduction of the Crofton method could not have been effected in the way pointed out by those who asked the Legislature to buy the House of Refuge in Philadelphia for a Reformatory for first offenders between the ages of sixteen and twenty-five. The State would thus, in a comparatively short time and at small expense, have acquired a property well situated and well fitted for the introduction of a system that can no longer be called experimental, while the House of Refuge could, with the proceeds, have moved out into the country, and, on a suitable site, have introduced the system found so effective, both abroad and at home, of small Family Homes, with Farm. Schools, Industrial Training, and all the elements of reformation and supervision impossible within city limits, where the evil influences of home antecedents are really never out of reach, or under the control of the officers of the law.

The House of Refuge, of necessity, limits its work to children under sixteen, but the experience of its managers and officers shows that there are many over that age who only need a guiding hand and judicious care to be reformed.

Now, there is really no provision for such cases, other than the really dangerous influences of the House of Correction, the County Poor House or Prison, and the Penitentiary.

The Board of Managers, in a full and extensive report on the subject, presented to the Governor and the Legislature in 1881-1,

made a detailed statement of the commitments of this class in the eastern counties of the State ; it is safe to say that not far from a thousand are annually distributed throughout the State, in just such a way as to prevent any reformation, and to secure an almost certain and absolute return to crime.

Mr. Richard Vaux, recognized wherever penal reformation is made a matter of earnest inquiry as its chief exponent, fixes on nearly one-fourth of the whole number of commitments as the proportion of those under twenty-one.

It is poor economy for the State of Pennsylvania to neglect any opportunity of curing this growing evil, and to cut off at its source that stream of crime which grows greater each year, carrying off in its swelling current, those who might be saved, and subjecting the State, and each of its counties, cities and townships, to an expense of which the aggregate is vastly beyond what would prevent crime, as well as save property, and even life.

The next meeting of the Conference of Charities and Correction will be held at Madison, Wisconsin, in July, 1882, and it is not too soon to begin to prepare material for its session, and to invite attention to the importance of its work, and its advantage to all engaged in the kind of employment what comes within its scope. Abroad, the governments of France, and Germany, and Italy have set on foot annual meetings of its prison officials, they have their special organs, and they give evidence of the great advantages derived from useful training of prison officers, of the application of their best intelligence and zeal to questions of Hygiene, Architecture, Physiology, and the other matters of such importance in Penology. In England a great step has been taken in putting all prisons under a general administrative supervision from the central authority, while still leaving to local visitors large power for benefitting the inmates by help during imprisonment and assistance after discharge. Here the General Government has advanced too, so far at least as it undertakes an exhaustive Census Report on the Statistics of the Defective, Dependent and Delinquent classes ; at pp. 196, 204, of the volume of the Proceedings of the Boston Conference, Mr. F. H. Wines, in charge of this branch of the Tenth Census, gave a very

full and clear account of the work in hand. He began with a plan of inquiry, with seven special supplementary schedules, this was followed by an appeal to over one hundred thousand physicians, and with the help of the thirty-two thousand enumerators, it was ascertained that the number of those included in the defective, dependent and delinquent classes now amount to about three hundred and fifty thousand. A hundred and fifty clerks worked at the correction and classification of this great army, and of the institutions provided for them, about seven thousand homes, asylums, almshouses, jails and lock-ups. Apart from mere statistics, the census will give a report on crime and the treatment of criminals, an account of the prisoners and the prison systems, of the criminal statutes and criminal courts of each State, including the police department, and subordinate magistrates and their work. It is earnestly to be hoped that the Prison Society as the oldest organization engaged in the practical and theoretical application of Penology as a science, to the every day needs of the public and the prisoner, will set to work to prepare for presentation at the next and at each successive meeting of the Conference, a full account of its own history, as showing the progress that it has made in its long experience, and of the labors that it has on hand, and of the plans with which it means to keep to the front in all measures that can alleviate the condition of prisons and reform their inmates.

There are many incidents that occur in our labors that encourage us, and prove, beyond the power of contradiction, that they are blessed, and that the Separate System is the best ever adopted.

The value of having an Agent who will attend to the discharged prisoners is very frequently confirmed. This attention consists in seeing that they have suitable clothing; that they are directed to find employment, and assisted in obtaining it; that if they wish to go to distant homes, tickets are procured for them, many of the railroad and steamboat companies generously co-operating with us; and, added to these kind attentions, that advice and assistance that can scarcely

be set to rules or expressed in words, but which comes spontaneously, with a good and earnest spirit, "to bear one another's burdens," "to give freely," and that can say, "This is the way, walk ye in it." This office is satisfactorily filled by Wilmer W. Walter, who furnishes us monthly with a detailed account of the number discharged, and how they have been cared for.

He reports as follows :

GENTLEMEN :—

The total number of prisoners discharged from the Penitentiary during the year was 404, of these there remained in the city 196 ; went to their homes or their friends in the country, 208 ; of those desiring it, I accompanied to the depot and procured tickets of transportation for 53.

For some years past I have been able to procure, through the generosity of the officers of the railroad companies, tickets for discharged prisoners at one-half the regular rate of fare ; but I am sorry to report that the issue of these tickets has been discontinued, owing to the abuse of the privilege by discharged prisoners procuring these tickets and afterwards disposing of them to other parties at an advance over the price paid for them by themselves.

I have aided quite a large number of discharged convicts from the funds of the Society and through the assistance of its friends, by procuring them clothing and transportation to various parts of this country and England, all of whom have reached their destination safely, and as far as I am able to ascertain, are doing well, and promise to become good and useful citizens

The following are two of the many cases to which I have extended assistance during the past year, all of which will prove that your agent has not labored in vain, and that his labors have been blessed with the assurance from those who have derived benefits from his hands, that he has encouraged them to live honest and respectable lives in the future.

No. 1, was that of a man who had been incarcerated in the Penitentiary for quite a period, and who was represented to me by his

overseer as a person worthy of our aid. Upon his discharge, I assisted him to reach his friends in the West. Upon his arrival there his friends procured for him a situation upon a steam railway. Through competency and industry this man has been promoted from time to time, until he now holds the responsible position of superintendent of one of the branches of this road. While in Philadelphia on business a short time since, he came to see me, and, in most glowing language, thanked me and the Society for which I labor, for the great benefit we had rendered him in restoring him to his friends, and, to use his own expression, "Encouraging him to shun evil companions, as well as the ways that are dark and tricks that are vain."

No. 2 is the case of a young man who was sent to the Penitentiary from one of the rural districts of this State, upon his discharge I procured him a situation, about seven miles from the city, with a grocer, at \$12.00 per month and board. By strict attention to duty and promptness in performing the same, this man has gained the confidence of his employer to the extent of being entrusted with the collection of bills and other moneys, and with the deposit of the same in the bank, besides many *other duties not generally entrusted to an "ex-convict."* When I became acquainted with the confidence reposed in this man by his employer, I felt it my duty to inform him (the employer), which I did, of his assistant's previous record, fearing that the temptations thrown in his way might cause him to once more stray from the path of rectitude. Upon my relating to his employer what I knew concerning the past life of my "ex-convict," he remarked to me, that he was perfectly satisfied to keep the man, and would continue to repose confidence in him until he proved himself unworthy of the same.

All who are sent to the Penitentiary are not dishonest by choice, their circumstances in life have had much to do in their being committed to the felon's cell.

If such can be provided with employment, or with such means as will enable them to procure the same for themselves, I am satisfied, the number who are sent to the Penitentiary upon their second conviction, would be greatly diminished, as well as their entire reformation established.

The labors of the officers and members of this Society are becoming more and more appreciated, and I trust that we may be able to continue our work with greater success than ever before, proving to the world, that a helping hand and a kind word *can be* a saving power to those who have been unfortunate in being known as criminals.

I have received invaluable assistance from the kind and courteous officers in charge of the Penitentiary, as well as from the officers and members of the Society, for which I am truly grateful, and with the hope that my labors may meet with the approbation of all with whom I am connected,

I remain,

Yours truly,

W. W. WALTER,

Agent.

Among the many incidents that illustrate the value of this department of the Society, is the following :—

A lad of 14 had been a tow-path boy, and we cannot pass the coincidence without alluding to the fact that the beloved and lamented President of the United States, James A. Garfield, was once a poor tow-path boy, teaching us that every one is worthy of our tenderest care. This boy had been sent to the Penitentiary for three years. When he came he could neither read nor write. He was taught the trade of shoemaking, and turned out a good workman. He became an excellent scholar, and one of the visitors took a lively interest in him. Since his discharge he has written to one of our members, stating that he had arrived home safely, and had deposited already \$25 in the savings bank, and was expecting to procure a permanent situation in a shoe factory.

As illustrative of the value of the visits by our committee, we quote from a letter received from a prisoner who had been regarded as almost beyond reformation :—

“ Ever since you have been talking to me about stealing I have

been thinking about it, and the more I think about it, and the misery it has brought on me and my poor family, I am getting down on it, for I can see your advice is good ; and if I had had you to advise me before, I would not be here the second time, for I can see you mean good, and that you are trying to save my soul and body, and by the help of God I am going to take your advice. I did not understand you at first, but I do now, for I see you come to us thieves to do us good, and you have done my heart good ; you have almost got the feeling of theft worked out of my poor heart, and don't be afraid to talk to me as plainly as you feel like doing."

A prisoner who came out with a determination to do right, went to Chicago through the help given him by the agent, and one of our visitors gave him some articles to sell and perhaps to order from. He wrote cheerfully from Chicago : " I will remain here for a couple of days, and then start on foot for Wisconsin. The Lord will direct my steps ; I know if I do not forget Him, he will not forget me, of that I am assured."

Another case shows the value of the visits given by the Committee. One of our visitors was on the street car and the conductor beckoned to him, and he spoke up : " I have paid my fare," and looked away. In a little while he saw the conductor motion to him again, and going to him said : " I have paid you my fare." The conductor whispered, " Do you not know No. —, whom you visited for several years in the Penitentiary, and with whom you plead to abandon the habit of stealing and going with bad companions Well, I was that man, and I resolved to take your advice ; you saved me. I have been on this line a conductor for two years, and have faithfully performed my duty, and have never cheated the company out of a cent and never will."

One of the most conclusive incidents proving the value of the separate system, whereby discharged prisoners do not know each other, occurred when the Warden stood at the corner of

a street and a genteel looking man came up and inquired after his health. The Warden recognized him as having been a prisoner, and while they were engaged in conversation, another man approached with pleasant remarks to the Warden, and remained talking a few moments, during which time a third gentlemanly-dressed person came from another street and joined them, as he too had a few words to say to the Warden. The Warden knew each, as having been in the Penitentiary, but not one of the three knew the others had been, and of course the Warden made no introductions, but treated them all civilly, and they respected him, and were doing well in their social and business relations.

While we could go on and narrate other cases which prove the value of the system so peculiar to Pennsylvania, and by the very presentation of these simple facts, give the highest commendation to it, we turn to the Report on Industries, and we have to regret that there is one so called Industry that ranks second on the list of pecuniary value. We refer to cigar-making, including labor and profit. This amounted in 1880 to \$3,346.27 ; while cane work was \$2,513.65 ; weaving, \$1,876.08, and other similar and valuable employments or trades taking rank below this of cigar-making. Shoemaking is the only industry that exceeds it. Why is this? Is it the best judgment? May it not be a disadvantage to the fifty prisoners engaged in the manufacture of cigars? Certain it is to those who are opposed to the use of tobacco, that there are trades that would be far better for them to follow when discharged. They contract habits that will be expensive to them when out, as indeed it is while in, for contrary to that judicious economy which they should be taught while confined, they are permitted to buy tobacco with their earnings. It should be our object to elevate the prisoner with employments that will secure for them such positions in life that will be above temptation, as well as to instruct them in making that which is in use by all persons and in all places.

Shoemaking, cane-work, weaving, stocking-making, and the like, are general industries, patronized by all, in use everywhere, and shut out from no place; while cigar-making must be limited to a trade with less than one-half of mankind. The article is fortunately not in use by all, and, indeed, many men do not patronize it; it is not permitted to be used in all places, and is productive of sickness, and against which a protest is presented by high authority, and by very many respectable persons. Hence, we submit, is it creditable or wise to pander to this employment, and "to teach men so?"

COUNTY PRISON.

While the labor to be performed in the County Prison by the Visiting Committee is essentially the same as at the Eastern Penitentiary, there are difficulties and embarrassments in the way that render it less encouraging to visit.

This comes from the necessarily shorter sentences of prisoners, their more frequent change, and the over-crowded condition of the prison.

The few faithful visitors who render their monthly reports are to be kindly strengthened and encouraged, because their labor is hard. We are of the opinion that because the population of the County Prison fluctuates, because the terms of imprisonment are comparatively short—and the large number of commitments make it necessary to place more than one in a cell—that the number of visitors should be as large, if not larger, than in the Eastern Penitentiary.

We learn there are many who have no work, and some who crave to learn a trade are disappointed.

True, there are propositions for improvement, and we regret Councils did not agree to accept the ground at the House of Correction for a new prison. It seems the Board of Inspectors agreed upon a site that was dry and well

adapted for the purpose, but when the proposition reached the Council Chamber, delays and postponements, nearly, if not quite, defeated it. May it be revived, and we see before long, a new prison built upon reform principles. Let there be but one story, and each cell furnished about as they are now, but with the addition of a little yard to each cell, into which the prisoners may go every day for a certain time, and where, in the season of gardening, they may cultivate something that may grow and yield flowers or fruit. Good results may confidently be expected from looking into the sky, digging in the ground, cultivating something green and getting into the open air—nature's true ministers. The present objection is, that those on the upper floors cannot have this needed change; they do not put their feet upon "mother earth;" they do not have the ministering power of open air and growing plant.

In connection with the overcrowding in the male department of the County Prison, and the large number of vacant cells in the female department, it has occurred to us that it would be well to make such a change in that part of the prison as would utilize the unoccupied portion for the males. It seems unfair that women should have room and to spare, and the men be crowded, in some cases, three and four in a cell.

This change can be as judiciously managed as it has been in the Eastern Penitentiary. It has been ascertained by several years of experience, and especially since the wise administration of our late and ever revered friend and collaborer, Joseph R. Chandler, whose scholarly hand so recently gave life, and even enthusiasm, to these annual reports, that the number of women prisoners is materially lessened, and likely to continue so, and therefore there will be no use for the unoccupied cells.

The labors of the Committee on the County Prison, as

well as the management of the prison itself, have been greatly lessened, and the good work of the system under which we work very much enhanced, by the unremitting philanthropy and humanity of the prison-agent, William J. Mullen, who seems to accept the injunction, as of old, "They shall comfort you when ye seek their way."

He continues to do all in his power, investigating the cases of hardship, to prevent suffering, and where there is hasty or unjust action, his sense of propriety is aroused, and he is on the side of the weak and the friendless. His long connection with this work has made him familiar with it, and we gratefully record his victories for the right, in that battle for homes and freedom, that far transcend all that is carnal or selfish.

As time fastens upon him his impartial and unerring hand, and the physical condition seems to wane, neither his wisdom nor his anxiety to do his part diminishes in any respect whatever; but when he needs a helping hand, he is favored to have, and we are happy to note that his son, Albert H. Mullen, schooled to the labor by the foresight and ardor of his father, comes to his aid, and we trust he may wear, and never mar, the mantle of human sympathy which has graced the sire for nearly half-a-century.

From the reports of the Prison-Agent we extract the following:—

The agent herewith submits for the information of the Society his Twenty-eighth Annual Report. From this it will appear that of the 22,478 persons committed to the Philadelphia County Prison during the year 1881, there were white males, 17,332; white females, 3,978; black males, 868; black females, 300.

The agent has succeeded in procuring the release from prison, with the approval of the legal constituted authorities, of 3040 within the past year, many of whom were either entirely innocent of what they were accused or were unnecessarily detained in prison, as

was shown by the Agent's interference in their behalf, which resulted in their prompt release. In most instances without cost. Of the number that were liberated, there were 38 children, who were imprisoned with their parents. There were 11 insane persons, whose cases were promptly investigated, after which they were sent to the insane asylum by order of the court.

This was done at a saving to the taxpayers of our city of \$37,525. This would have been required to be expended for the ignoring of their cases, and for their support, and maintenance while detained in prison, until the commencement of the next term of the criminal court, which was the earliest period that their cases could have been regularly disposed of.

The whole number of arrests made by the police in our city during the past year, as shown by the report of that department, amounts to 45,126 persons.

The whole number of cases acted upon by the grand jury for the year of 1881, were 6167, of which there were 4655 found true, and 1512 ignored.

Of the whole number acted upon by the grand jury within the year, there were 1253 convicted and returned to our County Prison; these do not, of course, include those sentenced to the Eastern Penitentiary. Of those sent to the County Prison, 855 were to labor, and 398 not to labor, making in all 1253 persons. Of this number there were 76 women to labor, and 35 not to labor, convicted out of the whole number of 6167 acted upon by the grand jury. Of the number convicted and sentenced, there were 1142 males, and 111 females.

AGENT'S OPERATIONS.

The agent with this large amount of crime and consequent misery before him, followed necessarily with much inconvenience to innocent persons, who had been wrongfully accused of what they were not guilty, has made it his instant endeavor to discriminate between the guilty and the innocent, and to ascertain correctly, what cases there were before him which were within his power to give relief

to, by a truthful investigation of the circumstances which caused their committal to prison, and when all the facts in their cases were made known to the magistrate, or to the court, there was but little difficulty, in obtaining their release from custody.

His occupation is at all times laborious and perplexing, requiring the exercise of good judgment and care in the selection and disposition of the cases. He has often been greatly encouraged to persevere by the beneficial and happy results to the poor and friendless prisoners, as well as to their suffering families; these considerations have stimulated and encouraged him to devote himself with renewed zeal to the good cause in which he is engaged.

The prisoners' cases have been carefully examined and inquired into; magistrates and other officers of the law have been consulted, together with the prosecutors, and over 1200 letters have been written and mailed on behalf of the prisoners within the last year. There were but 17 persons out of the whole number liberated, who were able to pay costs, and they paid but \$58.50, making an average of \$3.40 for each of the 17 persons released on the payment of costs, which sum was given to the magistrates, district attorney and other officials.

HISTORY AND CHARACTER.

While some of the number were guilty, their cases presented many extenuating circumstances, which rendered the agent's efforts in their behalf proper, and were such as met with approval of the authorities. In this way he has saved numerous families from ruin. The whole number of persons released through the interference of the agent, during the last 29 years, since the commencement of the agency, has been 54,225. This has been done at a saving of \$636,752.20, a fact taken in a pecuniary point of view, alone would seem to make his mission one of importance.

MANAGEMENT OF THE PRISON.

The good management and economy of the prison by the Board of Inspectors is such as commend and deserve universal approval.

Mr. Howard Perkins maintains proper discipline, and gives efficient care and management of the different departments of the prison. Notwithstanding its crowded condition the health of its inmates continues good. Dr. Butcher and his assistant, Dr. Sharp, are faithful and attentive to their duties, and continue to give their valuable services to all who need them.

DISCHARGED CONVICTS.

The agent has given particular attention to the relief of discharged prisoners; 1042 have been assisted with small sums of money, or railroad tickets to enable them to reach their friends, or go where they could obtain employment.

MORAL INSTRUCTION.

The moral instruction given on the Sabbath Day, under the direction of your agent, continues to be satisfactory.

This instruction is given mainly by the Methodist local preachers, who are constant and faithful in their attendance. One Sabbath of the month the services are attended by an Episcopal clergyman, and we have reason to believe that the prisoners have been greatly benefited.

The Society of Friends, of the Orthodox denomination, have given your agent a bountiful supply of almanacs and tracts for the use of the prisoners. Other denominations have also given liberally of their reading matter. The prisoners have also been supplied with Bibles when advised. It is gratifying for the agent to know that he still continues to have the unanimous support of the prison inspectors.

There are, at this time, three or four persons in a cell, that was intended, by the requirements of the law, to accommodate but one person. The four hundred cells of the prison have been used to provide at different times within the past year for 22,478 persons. The three thousand and forty persons that were released through the intercession of the agent, not only gave relief to the prisoners,

who were unnecessarily detained in prison, as was shown, but have in all probability prevented sickness and disease in the prison during the summer months, when the judges of the court and the district attorney were absent from the city during the heated term.

Your agent remained in the city during the summer, and procured a prompt release of nine hundred and eighteen persons that might otherwise have been detained in prison until the court resumed business in the fall. It is gratifying for the agent to know that he continues to have the confidence and support of the Prison Society, which has at all times been ready to aid him by giving of their money to relieve the distressed.

The agent feels gratified that he can say that he continues to meet with favor at the hands of the judges of the court and the District Attorney, who have shown a willingness at all times to facilitate him in the good work in which he is engaged.

INTEMPERANCE.

From my observation, I am fully satisfied that ninety cases out of every hundred of those committed to the Philadelphia County Prison, within the past year, were clearly traceable to intemperance, either directly or indirectly; and if any person doubting this, will come to the prison, they can see for themselves the excruciating suffering from *mania potu* of some confined in the dreary cells; there behold the house-breaker, the felon, the murderer, the outlaw who fears neither God nor man. These have become so from the too free use of intoxicating liquors. The recent effort made by the authorities to suppress the traffic of liquor on the Sabbath Day has been productive of much good.

The committee from the Acting Committee of the Society, upon whom is devolved the duty of visiting the County Prison and attending to the moral wants of the inmates of that prison, continue to perform their labors, both among the convicts and the untried prisoners.

These visits are looked forward to with much interest by the inmates, and we trust good has been accomplished. It is the aim

of the visitor to endeavor to persuade the prisoner to lead a better life, so that he may become a useful member of society.

WILLIAM J. MULLEN,
Prison Agent.

The visiting committee in prosecuting their labors of philanthropy, have the most favored opportunities of learning the causes and circumstances that have conspired to bring those they find in confinement, to their low estate. Confessions are made and past lives are opened and reviewed in the fullest confidence. The deductions made from these experiences are valuable, and should be used to remove causes or modify circumstances as far as possible, that repetitions may not occur. What is the agency, that to a very large extent, misleads from the path of virtue and uprightness? We are forced to reply, intoxicating liquor is that agency. Eighty out of every hundred prisoners have been misled by it, and while under its demoralization, directly or indirectly, have committed criminal acts.

Call intemperance a "crime cause," or any other term or agency, penologists may, it is nevertheless sorrowfully true, that the indulgence in intoxicating liquors destroys the power of the individual for self control, and this condition is at once susceptible of being misled by evil temptations.

These temptations are prominent in the drinking places in our midst. They entice the discharged prisoner, the moment he is released. It sometimes happens when prisoners are discharged, those who assume the name of "old friends," but who are the farthest from being worthy of so cherry an appellation,

"For a friend in need,
Is a friend indeed,"

meet them at the outer gate of the Penitentiary, and escort them to the brothel and treat to the intoxicating cup.

A repetition of criminal life almost always follows this dangerous step, and recommitment in due course of time, follows.

This proves two important points. One we have already alluded to when recommending the abolition of time sentences and the substitution of a Commission on Discharge. If this were adopted these old companions would not know the day and the hour when their comrades in crime would be released, and consequently would not be lying in wait for them to take them to the nearest drinking place, and thus prepare them for the commission of fresh crimes.

The other is the urgent demand for closing all such places where this demoralizing agency exists, in short the discontinuance, whether by prohibition or by moral suasion, or by both forces combined, of the manufacture and sale of intoxicating liquor.

We append as usual the report of our treasurer, Henry M. Laing, but we have one gratifying item to report, which may be called an unusual one, but one which we trust will be regarded as an example to be followed and repeated by those who are blessed with the substantial means of doing good, and thus enable the Philadelphia Society for Alleviating the Miseries of Public Prisons, to carry out the long cherished project, and one so much needed as an adjunct to its work, the care of the deserving and reformed discharged prisoners, in finding them homes, employment, tools, etc. We allude to that entry on the debit side of the cash book, August 1, 1881, "Received of the executors of Jesse George \$500."

While these receipts come to gladden our hearts, and these reviews of the departed year pass before us, teeming with that labor that is sweet, and showing that "the fields are already white unto the harvest," we find one laborer less than was with us a year ago, one whose hand was ready for its work in binding up the broken-hearted, in restoring the lost, and in sending forth from his darkness the liberated brother, with a new light

wherewith to guide his feet. Penrose R. Hoopes passed on to his eternal reward during the past summer, and the following was adopted at the meeting of the Committee in the month of October :

MEMORIAL TRIBUTE TO PENROSE R. HOOPES.

WHEREAS, Our late faithful member and attached friend,

PENROSE R. HOOPES,

has been removed by death from our midst, and

WHEREAS, "The memory of the good is blessed," not alone to the one so worthy, but to us who are taught lessons of uprightness, benevolence and humanity, by his life ; therefore,

Resolved, That in the death of this friend of the prisoner, we have lost one of our most regular and faithful visitors at the Eastern Penitentiary, and one who was constant in his attendance at our meetings, and on committees of business willingly contributed time and attention, and whose wise counsels and profound judgment, while we will be deprived of them, will be appreciated for their value, as manifested in their beneficent results.

It is thus that we "mark the perfect man and behold the upright, for the end of that man is peace." "They rest from their labors, and their works do follow them."

The prisoner will miss his regular and frequent visits to the cell, but may well dwell upon the recollection of that advice, which, from a life of rectitude and habits of usefulness, he was so competent to bestow ; while we can all profit by the fact, that although in manners he was retiring and unassuming, yet in the life that was vouchsafed to him through many years, that life was as "the tree that bringeth forth good fruit," and that abundantly.

The Secretary furnished an account of a visit he had made to the Prison at Mauch Chunk, Carbon county. On motion he was requested to enter it on the minutes, and to communicate the result of his visit to the Board of Public Charities, with

the request that as the Eastern Penitentiary is overcrowded, many prisoners being from Carbon county, and as there are a large number of cells in that prison unoccupied, that measures may be taken to retain prisoners there instead of sending them to the Penitentiary ; also, that the law in relation to separate confinement be carried out.

The following is the report :—

VISIT TO THE PRISON AT MAUCH CHUNK.

On the 28th of 7th month, I visited the above Prison, and was shown through by the Sheriff. There are 28 cells, 14 on each floor ; it being two stories high. The cells are 14 feet by 7, height 9 feet. The ventilation is good, water in cells, and a register for heated air.

There were but three prisoners, two males and one female ; the men were sixty and eighty years of age respectively, and were sentenced for six months, the one for stealing, and the other for receiving stolen goods. The woman was only the second one who had been there during eighteen months. The Sheriff informed me that they had rarely, if ever, more than four or five prisoners at any one time. The worst feature was that the men and the women have free intercourse during the day. The cells were open and they were allowed to roam together in the corridor whenever they pleased, in fact, they were locked in the corridor without any apparent supervision whatever ; probably the Sheriff does not see them, except at meal times, or when there is an occasional visitor. I remonstrated with him, upon the impropriety of allowing them to be together, he did not seem to think anything of it, said the men were too old, to fear any impropriety, but I did not agree with him. The Sheriff receives thirty-seven and a-half cents for feeding each prisoner.

Diet was : Breakfast, four pieces of bread, one pint of coffee and molasses ; dinner, three pieces of dry bread, five potatoes, beef or veal, soup two or three times a week ; supper, four pieces of bread, molasses, tea or coffee.

JOHN J. LYTLE.

PRISON DISCIPLINE.

The full import of these words is not generally understood. Some interpretations are too narrow; others wholly inapplicable. The general idea of those unfamiliar with the subject is, that they describe, in some sort, the routine of the management of a prison. It is quite true that the words themselves, taken in the ordinary sense, seem to imply the regulation of the inside of a prison, or the rule of its government. But in the broad and comprehensive application of the term Prison Discipline, as it is used by those who are interested in the administration of penal jurisprudence, the methods and systems of convict punishment are included to this term. The rule of government of a prison or penitentiary, must of necessity depend on the system on which the institution is based.

To hire out convicts, to contractors of their physical labors, the contractor has the almost exclusive control of the convicts, whose labor he thus owns by purchase. In some cases, the contractors take the convicts beyond the limits of the Prison, to work them on various industries. In other cases, the contractors confine the convicts, whose labor they have bought, inside the Prison, in shops or work-rooms. In both, the contractors have the chief care and custody of the individuals; they supervise their labor, direct and control it, and the State or county which ever pretends to take the custody of these prisoners, is left to lock them up at night, and feed them by day.

To apply, therefore, a Prison Discipline to either of these systems, is simply impossible. The only rules which the public authorities can enforce for the administration of either system are those which relate to the physical control of the convicts, their punishment for non-performance of the contractors' orders, the police order of the men while at work, eating and sleeping, is all that the public authority has to do. The

Sunday is the only day of the week when the contractor is not the governing power in prisons or penitentiaries, based on these systems of convict punishment. Prison Discipline in these instances is computed in our word—Force.

It may be true, that certain perfunctory attempts are made to utilize Sunday for instruction, but the seventh day of the week of the convicts' bought labor is little likely to be seized upon by the human machine for mental or moral improvement.

The Prison Discipline of such institutions, is really but assimilating bought toil with security and subordination, and the certain agency is force. Therefore, such a Prison Discipline can only be described by force government.

It is sad to think that such a discipline is approved by many who justify it on the specious pretext, that it pays. The cost is thus the first element in maintaining this system of convict punishment, so that the test of what is called this system of punishment, is the false theory that a system that costs least, is the best.

The truer definition of Prison Discipline, comprises the investigation and determination of the best system of convict punishment, as well as incident thereto, the method and government of convicts under such a system during their incarceration.

Until the best system is ascertained, the regulation or discipline of convicts during imprisonment is reduced to the simplest proposition, subordination. Subordination is the objective aim of this discipline. It involves all efforts, and is satisfied with those which decrees this result.

It is the first duty of society to evolve out of the necessity for the incarceration of offenders against law, the best system for punishment for their crimes. It is the first duty.

The experience of now, over half a century, ought to be enough to enable those who are engaged in the study of

methods for the punishment of convicts, both theoretically and practically, to elevate the subject of prison discipline to a far higher standard than it now takes. The emotional treatment of this subject is no longer tolerable. The advance made in discussions and thought which belong to the subject in its broadest consideration leaves the benevolences far away behind and out of sight, for true philanthropy is inherent in all views that are now taken of reformation as an essential of the best system. It is primarily relative to, not the sole aim in any method of convict punishment, which the wise and the scientific students of prison discipline are now engaged in discussing.

The scope of any system which relates to crime punishment is not limited to the governments of the place where it is administered. It embraces the social, personal, educational, moral, and inherited characteristics of each convict. If incarceration is not punishment, then during incarceration the punishment must be ascertained which ought to be adapted to each convict. Properly to determine what that punishment should be, demands an investigation of the causes and influences that led to the commission of the violation of law, the mental and moral power to resist the effect of these causes, and how far the punishment should be directed to strengthen the forces through the weakness of which the impulsion to crime was irresistible. If the mental power was lacking, or the want of moral or physical instruction left the individual an easy prey to plausible temptations, then the character of the punishment should be adapted to these defects. Incarceration is the condition in which these forms of punishment can be best applied. The reform of the criminal becomes of the highest importance, as it is a curative process for the causes of crime, and society has the strongest claim on the administration of a punishment which conduces to so important a result.

A system of applied punishment which is founded on this individualization of its principles to the convict, is so directly antagonistic to that which regards incarceration and labor-profit as the chief aim of such punishment, in the association of prisoners, or rather is the only expression of it, that it is easily seen how next to impossible it is to define prison discipline until the method of punishment is first established. To do this is the first duty of States. Not only the first duty, but the imperative obligation on all who take enlightened interest in the subject, is to determine which method is the best. The essential elements that enter into this determination must be the developed necessities for the proper treatment of individuals, considering their characteristics, the crime cause, their reform, and the safety and security of society. When such a system is established, then prison discipline will be an art founded on principles.

OUR PENITENTIARY SYSTEM.

There does not appear to be any reasonable doubt that Pennsylvania was the first State to originate a practical plan for the alleviation of those miseries in the common jail, or prison, which marked and disgraced those institutions over a century ago. This is true not only in this country, but it is true as to England. Before Howard brought to the notice of some kind-hearted folks in London the abuses in the jails, with any purpose for their redress, here in Philadelphia a society was gathered of earnest men, few in number, very few, who organized to remedy the evils of the county jail. The first efforts were paralyzed by the English army entering Philadelphia at the time of the Revolutionary war.

After peace had driven away wars and alarms, this original organization was re-established. And then till now, the said society, the first of all organizations for the definite object of

alleviating the condition of prisoners in prison, worked, and works yet. It is true of latter times in a quiet way, and without extraordinary vigour, yet it still lives, this old society, and still works.

What has been done by this society is history. The pages of this Journal will attest not only what has been accomplished, but also by whom the results were attained. More than this, these pages, for the past half century, will show the steady progress that has been made from the first rude purpose, to the realization of the inner philosophy of the logical treatment of the subject as the outcome of this progress.

The types of this progress can be most strikingly presented in the first county jail in Philadelphia, in 1776, and the Eastern State Penitentiary of 1882. These landmarks define the beginning of the efforts to improve prison systems, and the end, what up to this time, has come out of these efforts. A century of progress has these two line stones to mark as the boundaries of this advancement. One is the alpha and the other the omega of the thought and the labors of those moral teachers, and modern scientists, in systems of convict punishment which belong to the imprisonment of individuals, for crimes against the security of society.

It is no exaggeration to say that the civilized world has looked on these efforts and this progress with earnest interest. Since 1800 England, France, Prussia, Belgium, Italy, Sweden, and Denmark, have observed and investigated the efforts and their consequences which originated in Pennsylvania, to devise and successfully establish a scientific method by which individuals convicted of crimes should be treated during their imprisonment.

Newman, De Tocqueville, Beaumont, the earliest, and succeeding European investigators, who examined our incipient plans, and have since witnessed our extraordinary improvements in the system of Pennsylvania, were impressed with the

possibilities of its thorough adaptation to the philosophy of convict punishment, the real and reasonable results that were thus to be obtained.

Yet strange as it may appear, at this day there is less known of our Penitentiary system than there was a quarter of a century ago.

In some sort, this may be explained by the profit-making features of congregating convicts in work-shops, selling their time and toil to greed-seeking and money-making agencies, satisfying the public by the delusive pretences that convicts in prison should support themselves, and relieve society of the cost of their imprisonment.

So mercenary a theory was attractive. It paralysed the advocates of a system for the proper treatment of convicts sentenced to prison for crimes against the public welfare, which system sought to apply the most suitable means to each convict as a punishment for his offence, looking to his rehabilitation with society on his restoration to freedom.

This system was described as theoretical. It was sought to influence the public mind by urging if even it was practicable, it cost too much. It rested in the popular sentiment, that the thief, and the burglar, the forger, and murderer, were incapable of reform, or at least the cost of reformation was too great a tax to be paid for the gain to the public. While thus impregnating the mind of the public with the doubtful character of this system, it was easy to effect a lodgment in minds thus directed to doubt, if the plausible, and, as it was called, the common sense, practical idea, that profit-making prisons, in which these outcasts were to labor for their support, was the system that the every-day life experience of men best comprehended, and were thus predisposed to approve.

Even in Pennsylvania this plan had able and zealous advocates. The young States of the Union were most likely to accept this method. It was especially suited to new societies

struggling to establish themselves. In this State it is to be found that the strongest reason, which was a powerful agent in directing some to sustain this prison plan, was the promised relief it afforded to the tax-payer ; a relief that was promised, but which it is believed the experience of the citizens has not yet realized, and never will.

Self interest, gain, profit, money-making, are seductive influences. The financial, smothers the moral instincts, often, if not generally. At last in Pennsylvania, the system of convict punishment, which was known by the name of our great Commonwealth, lost in part in this conflict of opinions, its original character.

This State, thus divided in opinion, made it a labor to keep our system from retrogression, because elsewhere, it was no longer regarded as the Pennsylvania system. Those who advocated the profit-making system pointed to Pennsylvania for their strongest arguments, and suggested even, that this State in fact abandoned its great, distinctive method.

The teachings and experiences of half a century were thus impaired in so far as the superficial observer had a judgment.

During the while, Belgium and France and even England were adopting our system and making it subserve its primary purposes. It is true that the adoption of our system was accepted as best for those peoples, but its adaption to the social, political, industrial, and educational conditions of the people of those countries was attended with some difficulties. This was natural. This was necessary. It was the truest test of the great value of our system, that these alterations were possible to its integrity as a system.

The original method introduced into the Eastern State Penitentiary at Philadelphia has itself been markedly modified from the experience gained in its practical administration.

Of course this was not only expected, but was diligently and earnestly sought after, this modification of its untried

features, as first expressed at its opening in 1829. It was necessary to accept the proposition that experience would teach. He who denies that experiment is not to be perfected by experience and observations and continued study, is unworthy of confidence or support.

Improvements have been made, very signal and important improvements, on the Pennsylvania system, as administered in the Eastern State Penitentiary, at Philadelphia, since 1850.

The term that is now used to designate this improved system in itself shows the advance that has been made. At the beginning it was for want of a sufficiently significant name called by those who tried to understand it, the "solitary system;" then, as experience taught, it was called "the separate system." But since a more thoroughly scientific development of the purposes of the method, and the practical knowledge of its capabilities as a punishment have been reached, it is designated, "The individual treatment system of convict punishment." This term embraces all the instrumentalities and the necessities and needs which attach to the true system of dealing with convicts during incarceration, subject to the remedial influences which are essential to their punishment.

Incarceration is not punishment. The time of incarceration is no element in punishment. Labor, *per se*, toil, as a penalty, is not necessarily in all cases punishment. Deprivation of personal freedom, restraint, is not punishment. These, combined as operating on convicts associated in prisons, may be cruelty, but only so is it penalty.

Therefore, it is manifest that outside, beyond these limits of convict treatment during incarceration there is to be found what really constitutes the punishment to which each individual is condemned, who is sentenced to prison for crime.

A system of punishment, to be what it purports, must separate from association; remove from temptation; prevent combination; isolate for reflection; segregate for instruction; set

apart for the ascertainment of individual characteristics, crime—cause, motives, inducements and allurements that were precedents to crime. When this knowledge is obtained and this course adopted, then, yes, then, and then only can the punishment be applied ; for punishment is the adaptation of means to the correction, restoration, reform and re-establishment of the character, and the true understanding of the convict which will render his future life free from the weaknesses that brought him into crime.

This, in a degree, explains the “ individual treatment ” system of convict punishment.

It is to be regretted that in the Eastern State Penitentiary there is not now full opportunity so to treat each prisoner. The large number of prisoners there confined does not permit the entire separation of each from all other prisoners. Yet a very large number are in entire separation from all convict association. Those who are not so separated are chiefly men who have been confined together in county jails before trial, or of such physical and mental weakness as to be beyond the influence of any evil from their association together. There is quite a number sent yearly to that institution whose mental state is so abnormal on a admission as to render their confinement in prison the best substitute for restraint in a hospital or asylum.

It ought to be remarked that so superficial is the personal judgment of some men, who make the most excited efforts for notoriety as teachers in Penology, that these ex-cathedra professors fail to comprehend that the exception is not the rule. Some of these leaders of opinion rest satisfied on the complaisant assumption that the little they know is past finding out by those they undertake to enlighten.

The duty now, therefore, of the advocates of the Pennsylvania System is earnestly to express their opinions. It is by quiet, undemonstrative exposition of these principles on

which our system of convict punishment is founded, that the enlightened mind is to be impressed with the truth. Convince by reason, inform, instruct, so that the facts being known, conversion may come from conviction, thus secured.

LABOR AS A PENALTY.

From time to time some agitation exists as to the effect of labor as a penalty in prisons, on the production of those industries by the general trade. It is said that convicts in prisons and penitentiaries, being engaged in certain specific labor, their product injuriously affects the same products by these trades.

On the one hand there are people who demand that convicts must support themselves by their labor while in prison under sentence for crime: on the other, the trades directly connected with these industries complain that the sale and price of their products are injured by this competition.

This diversity of opinion raises questions of much importance.

On the industries, the skilled labor, the productions of a State, its prosperity mainly depends. Labor is wealth. Labor produces commodities. These commodities have values which chiefly depend on the labor, or skill in the production of this labor. The proportion of value between the raw material, and the industry that changes it into product is very marked. A ton of iron ore has no proportionate value to the manufactured iron or steel of commerce contained in the ton.

It is labor which gives value to the products of this ton of ore, and so as to all other transformations of raw material into productions. The State then should, by no act of hers depreciate or degrade or lower the standard of labor, as it is on this labor her prosperity so greatly depends.

To make labor, industry, skilled handicraft, a penalty for crime in so far degrades it. If the individual convicted of felony is sentenced to "imprisonment with hard labor," then the penalty of labor and the penalty of imprisonment are equally part of the sentence for crime. If one is a degradation so is equally the other. Thus labor and imprisonment are made penalties for crime, and whatever of degradation attaches to one brings the other to its level.

It is certainly unwise in any state thus to stamp on manual toil this mark of a penalty for offences against her laws. If the prosperity and wealth of a State are dependant on the industry of her citizens, is it not prejudicial to the industrial classes, the mechanic, and the workman, to be told by public laws that their vocation is inflicted as a punishment for the acts of criminals.

Is it to be expected that the young, who are trained in public schools where nothing is taught inducing to the acquirement of trade knowledges, or those who graduate in the High Schools, where the course of study neither encourages nor stimulates the desire for instruction fitting its possessor for mechanical vocations, will ever be free from the depressing influence of this impolitic inactment in the statutes of the State.

It is a great misfortune, that with all the laudations of public education, not a single public institution for instructing the youth has engrafted on it the facilities for affording, even those who seek it, the least theoretic or practical instruction in mechanical trades. While it is asserted by political economists and statesmen, that industry is the source of the wealth and prosperity of the State, yet Pennsylvania has never expended a dollar of money to establish trade schools. Millions are appropriated for public schools, and not in one of them is to be found any instruction which tends directly to emphasize this primary economical principle. The mind of our youth is im-

pressed with the wonderful benefits of knowledge, while the very knowledge which is the foundation of public prosperity is ignored in the teachings of these schools.

It need not be offered in excuse that no one has called the attention of the law makers of Pennsylvania to this subject. Time and again it has been suggested to our Legislature, but the legislative mind has been too intent on great problems of statecraft to listen, or to heed.

A bill to incorporate an artificial body and give it great franchises at the cost, it may be, of the best interests of the people, will find ardent and earnest advocates. But a law to instruct, train, invite, encourage our youth to seek employment in skilled trade knowledge, on which the real welfare of our State so much depends, has neither advocates nor supporters.

Singular as it is, the Legislature never hesitates to pass laws, for the protection of society, of property, of life or individual rights, which enact as a penalty and a punishment that the convict shall labor while in prison, as though labor was the only fit and proper occupation for a convict under sentence for crime.

It is believed by some thinkers, that labor is not in any sense the sole element in convict punishment. This is clearly the correct view of crime punishment. Labor cannot be made a penalty for certain violations of the laws of society or the State. Certain physical toil, like the old fashioned "tread-mill" may be considered a penalty for convicts in prison. It was so regarded for a long time. It was frequently used as a punishment, but it never partook of the character of labor, it was punishment inflicted at the cost of mere physical, muscular effort.

But to sentence a convict to hard labor, and to incarceration, to be co-equal and co-continuous, as part of the inflicted punishment for crime, and both in their joint operation to be

by law declared to be the measure of punishment, is pre-eminently unwise, impolitic, unjust and wholly ineffectual to attain the true purpose of what is now sought by the enlightened comprehension of crime punishment.

The following quotation is from recognized authority on this subject.

“It is to be regretted that so much misunderstanding exists as to what is generally understood as a profit-paying system of convict labor.

“The popular impression seems to be that prisons should be profit-making institutions, and therefore they ought to be so governed and regulated, that the labor of the convicts must pay, not only the expenses of maintenance and support, but yield a profit to the State.

“Labor, as the primal ordinance for man’s life-needs was decreed ‘by the sweat of thy face shalt thou eat bread.’ But it must be observed that this injunction was made to foreordain the fact, that labor was the destiny of the race. Labor though designated as man’s destiny under all circumstances, involved the conditions under which it was imposed.

“Voluntary toil as the necessity of man’s condition was intended to be a duty which was ever to attend his life, as necessary to it. When the duty was thus expressed it made the voluntary act, or the necessity for the act, paramount to all other incidents to the act. Labor as a duty from necessity, is not labor as a penalty for crime. To confound these relations is possibly to misunderstand the intent and purpose of the injunction.

“When society, or the State, inflicts labor as part of the penalty or the punishment for crime against its laws, it takes from labor its highest character, and reduces it to the level of a punishment, a penalty inflicted by human law for a violation of social order. It cannot be admitted that labor, as a human punishment, is to be the equal of labor as a divinely imposed duty incident to man as a condition of his existence. It may be claimed that society has assumed the right to inflict labor as part of human punishment, because there are those who interpret the divine ordinance to be in

the nature of a penalty, and on such authority this right is permitted to States. This is not disputed in its most comprehensive meaning. It is objected, however, to the special and direct application of this authority, that it does not permit the distinction to be made between labor as a voluntary act, enforced by universal human necessities, and labor as a penalty for crimes, inflicted by human law as an element in the punishment of individuals.

"It is the duty of man to toil, since it is in obedience to a divine command. In this obedience lies the duty. The necessity for labor is the accompanying condition which makes the duty imperative. Therefore labor is one of the highest duties required of mankind, obedience to the command of the Creator.

"The involuntary labor inflicted on a convict as part of his sentence for violation of human laws, his punishment by imprisonment with labor, is so far less than a duty that it is reduced to the level of a penalty, a condition of involuntary servitude to the State, to which he is sentenced, as an expiation, in part, for crime.

"While the general idea created by the command, it is true, is, that mankind by necessities which surround the human family are not free from the need of labor, yet might it not be interpreted to mean that such labor from necessity became a universal duty, and that the injunction to labor was in the nature of such duty.

"Yet, can it be supposed that in the limited and restricted sense of imposed involuntary labor as a part of a sentence of punishment for crime against the laws of the State, is a duty which dignifies the toil, or raises in the ethical view, to a penalty inflicted by human authority for the benefit, welfare, or security of human society? If the interpretation of, 'By the sweat of thy face thou shalt eat bread,' is, that it inflicts a penalty on the whole human family, to be suffered as inflicted penalties are suffered, then the obedience is compulsory, and labor, in all senses and under all views, is a punishment.

"Can there not be a more reasonable construction? As man's necessity for labor is the condition imposed on him, then the obedience to the condition is a duty which his moral nature recognizes; but if he merits by his crime a punishment of which labor is an

element, then disobedience to his moral obligation, as well as a violation of the laws of the State, make his imposed toil a penalty.

* * * * *

"No one who has considered carefully the subject of punishment for crime ever has suggested that individuals under such punishment should not labor.

"Labor, however, is not always the only element in punishment; it is an important incident, but not the exclusive and only means of applying the penalty for crime. If prisons are to be simply State manufactories, and the profit to be made is the only aim of the State in creating them, then convicts, on their sentence, are condemned to be slaves for a certain time, and the State and the contractor are their masters.

"Society rejoices that this servitude costs the State no money, and civilization is solaced when beholding such an anomaly—that it is the congregate profit-making system of prison management—which pays."

To make labor by law the prominent part of the punishment for crime, is not politic, it is injurious in its general effect, it tends to degrade labor, it is no element in the real design of punishment for crime.

There is another view of this subject that requires attention.

Convicts sentenced for offences to incarceration, are placed by law under the care of the State. They are imprisoned in State or public institutions. This deprivation of liberty is the mode in which punishment, other than imprisonment, is to be inflicted. What the particular kind of punishment to be administered during imprisonment is to be, must necessarily depend on the individual to be punished. Deprivation of liberty to some is the greatest of punishments—to others it is without effect. To be taught a trade, to receive mental instruction, to obey rules, to live an orderly, quiet life without excitement, or the indulgence of habits that gratify the senses,

the non-association with congenial people, the deprivation of low tastes, the instruction in some useful work—these, if properly enforced as a part of the system of punishment, become a powerful agent in making imprisonment what the law intends.

But if a convict on entering a prison is sold, that is the real and true meaning—is sold—or his labor-producing, physical powers are sold by the State, to a person who pays the State so much a day for this physical toil of the convict, then labor is further degraded by the State's selling it for profit, and labor is a profit-making investment by the State of its own criminals, during their imprisonment.

By the most forced construction could such labor be called punishment, a legal, statutable punishment for crime. The convict is transformed by this method from one who, treated as his crime and his character requires during his term of sentence, into a convict-machine, forced for a profit to the State, and a profit to his purchaser, to toil, to labor, not as a punishment, but for money-profit, money-greed of his two owners, the State that sells his labor, and the person who buys it—both for money.

Is not this a degradation, not only of the man, but of labor as the creator of the wealth and prosperity of the State. How can the youth who desire to be taught trades for their support, the very few of such young people, who have this desire, and seek to learn handicraft skill vocation, regard the position the State assigns them, when it thus enacts by law that labor is the punishment for crimes of convicts?

A prisoner who is required to learn a handicraft during his imprisonment, as part of his daily duty—to learn it for his own benefit, to qualify him to gain an honest living when he leaves the prison, is subjected to a punishment, but his labor is not a degradation. It becomes thus an instruction for his advantage and the advantage of the State or society. It tends

to elevate the man to the position of a workman, one who is united with the labor of the State, the voluntary, useful, essential capacity of the producers, on whom the welfare of society depends.

This labor is not made punishment, absolute and exclusive; it is instruction, teaching, training, elevating. It takes from the man no part of his position as a laborer. Going out of the incarceration to which he was subjected, he has gained in his own respect for himself, and has been taught that labor is the true foundation for reform, the attribute of manhood, relying on himself for his own support. He becomes a factor in the production of the prosperity of his State, or the population into which he may go to start life anew.

It may yet be that convict labor will be so reformed and improved that it will at least not tend to degrade, while it is made by law the exclusive element in convict punishment.

THE DANISH PRISONS.

TRANSLATED BY LAWRENCE GRONLUND.

The Scandinavian Prison Magazine, for 1881, demonstrates that good men in Northern Europe also have come to perceive that crime is an evidence of the neglected responsibilities of society, just as the plagues of the Middle Ages were evidences that the laws of health had been neglected. It contains, first, a very interesting article: "The Treatment of Insane Criminals," by K. Pontoppidan, in which the author reaches the conclusion that the insane asylums in the Scandinavian countries, greatly need to be enlarged and increased in number. It is a work, not of superficial generalities, but of profound reflections, that would deserve extended notice in this journal, if space permitted.

The other essay, "A Scheme of a Rational Treatment of

Neglected Children and Youthful Criminals, conformable to the Spirit of the Age," by Mr. Stuckenberg, the editor of the magazine, is an effort to apply the results of the experience of other more progressive countries to the state of affairs in Denmark.

The spirit of the Essay, as in fact of the Magazine, is well expressed in the words of the author—"The science of Penology, like all social sciences, is a child of our age and, like so many other creations of this age, has grown and procured for itself a hearing in a comparatively short time. Criminal jurisprudence, with its roots deep down in the centuries, has perhaps often been somewhat disposed to treat with some coolness this upstart youngster, oftentimes fiery and receptive to sentiment. But as far as the question under consideration is concerned, criminal jurisprudence has clasped hand with Penology in token of a co-operation which in many countries has been, and in all can but be, a blessing to society. But there is, also, in the whole of the science Penology no finer testimony of the humanity of the age, no truer expression of its practical sense than the endeavor of educating the morally neglected child and the youthful criminal to becoming good citizens, instead of *punishing* them."

The author notes first, the defects of the penal legislation in Denmark in these classes, as follows :

It fails to point out that the prevention of greater moral corruption, and *not* punishment, should be the object of all judicial treatment of children.

It makes the law take no notice whatever of children under ten years of age, unless a very serious offence has been committed.

It leads to the necessary consequence, that children between ten and fifteen years of age have generally descended very far down in the mire of moral degradation, when they are grasped by the strong arm of the law.

It permits these latter simply to be whipped, and they naturally go back to their old haunts.

It does not punish children under fifteen years of age for beggary, though experience teaches that professional beggary often leads to other offences.

It does not subject young persons between the ages of fifteen and eighteen to any educational treatment, at all, but only to punishment, though this age is the most critical period of the child's life, and specially needs training.

It does not lay sufficient stress on repeated truancy, as a reason to interfere with the child, though truancy, is often but the threshold to other vices.

Mr. Stackenberg then proposes and gives his reasons in detail for a very extensive scheme for molding all badly-behaved children into useful members of society. He wants the law to take notice of all offences of children from six years old upwards, including truancy, beggary, mendacity, and disobedience to parents and those who stand in the place of parents, even such occurring in the privacy of home, but brought to the notice of the authorities by the parents, as also of all immoral and unhealthy home surroundings of children. In no case, ordinarily, is the child up to eighteen years to be punished, but it is either to receive a solemn warning by the judge with closed doors, or be placed not less than six months or more than one year under the supervision of officers similar to the truant-officers of Massachusetts, or be given till the age of eighteen or twenty into the care of a good family or a governmental training institution, or, at last, if necessary, under the severe discipline of a reformatory.

Such is the scheme in outline, and whatever may be judged of its details it may well give rise to serious thought. Even in our blessed country we have a daily birth of so many infants, so imbedded in criminality that you might lay your hands on each and say, that, if not rescued by something

akin to a miracle, this child is inevitably destined to a criminal career. Yet the State stands by with folded arms, cares not a straw for them, in the vast majority of instances permitting them to be trained to crime, furnishing them even temptations until it catches them with its implacable arm, and—strangles them.

The Magazine further containing the debates which took place at a conference of delegates from the Danish prison societies. at Vilborg, August 1st and 2d, 1881.

It appears from these debates that there are in Denmark two kinds of prisons for punishment—one kind where persons convicted of felonies are punished with hard labor, and another, where such who are convicted of misdemeanors are punished simply with deprivation of liberty, and in the judgment of the committing judge, also, with a diet of bread and water. The reform of the former, the penitentiaries, dates from 1864-5, and since then the "cellular" system has been adopted in these. One of these penitentiaries, that of Horsens. Jutland, is only destined for hardened criminals, convicted more than once. The prison societies of Denmark have hitherto confined their activity to criminals detained in and discharged from these penitentiaries, and at the conference one of the questions debated was (which certainly seems curious to Americans), whether the societies also should assist those who had merely been guilty of a misdemeanor, and the question was left an open one.

Another question of debate was what should be done to procure employment for the discharged convicts. This is naturally a subject of great difficulty in a little country like Denmark, where it is hardly possible to conceal the record of convicted persons for any length of time. A proposition to maintain a House of Detention where such convicts might voluntarily enter and stay under a sort of prison discipline till some place was found for them was almost unanimously dis-

carded, and so also another to appoint *paid* agents to do the work that the penitentiary agent of this society does. It came out during the discussion, that the rival communes of Denmark are in the habit of giving those discharged convicts who otherwise would be a charge on the commune a couple of dollars, and telling them to go and seek work elsewhere.

The following statistics are of interest :—

In the period from 1871–75 there were convicted in Denmark of larceny for the first time 6,063 persons ; of these there were convicted a second time 1,053 or 17 per cent. ; of these again a third time 528 or 51 per cent. ; and of these a fourth, fifth or more times 526 persons or 100 per cent.

In Copenhagen, the capital of Denmark, the crimes committed during the year 1880 can be scheduled as follows :—

Of crimes against decency there were 4.19 per cent.

"	"	"	the person	"	2.26	"
"	"	"	property	"	90.40	"
Forgeries,	.	.	.	"	1.24	"
Breaches of the peace,	.	.	.	"	0.02	"
Other offences,	.	.	.	"	1.89	"
					100.00	"

Ninety per cent. were crimes against property ! and so it is in all countries. Yes, the more enlightened the nation is, the greater is the percentage. Is not the defective arrangement of society to a great extent responsible for that class of crime ?

TREASURER'S REPORT.

DR. *HENRY M. LAING, Treasurer, in account with Philadelphia*

1881. 1 Mo. 27.	To Balance, ...		\$1,204 08
	" Cash rec'd from Interest on Investments, ...	\$868 90	
	" " " " Subscriptions, ...	266 40	
	" " " " Executors of Jesse George, ...	500 00	
	" " " " Balance of Interest, ...	189 41	1,824 71
			\$3,028 79

TREASURER'S REPORT.

73

Society for Alleviating the Miseries of Public Prisons.

C.R.

	By Cash paid Rent of Room,	\$50 00	
	Secretary,	100 00	
	" " " Agent Eastern Penitentiary,	200 00	
	" " " " County Prison,	400 00	
	" " " Committee on County Prison,	500 00	
1882.	" " " Sundry Expenses,	700 25	
1 Mo.	" Balance for Investment,	\$1,772 50	
26.	" Cash Income,	118 04	
1882.		1,886 04	\$3,228 79
2 Mo.	To Balance,		\$1,886 04
26.			
1881.	BARTON FUND		
2 Mo.	To Balance,	1,397 30	
27.			
1882.	" One year's Interest, Garrett's Mortgage,	100 00	
1 Mo.			
26.		\$1,497 30	

HENRY M. LAING, *Treas.*

Philadelphia, 3 Mo. 26, 1882.

Having examined the Account of Henry M. Laing, Treasurer, and the Vouchers, we find it to be correct, with a balance on his hands of eighteen hundred and eighty-eight $\frac{79}{100}$ dollars. Also, a balance of fourteen hundred and twenty seven $\frac{30}{100}$ dollars due the Barton Fund.

HUMPHREYS GARRIGUES, }
OWEN JONES, } *Auditors.*

PHILADELPHIA, 3 Mo. 6, 1882.

Seventeen hundred and seventy-two $\frac{30}{100}$ dollars of the above is legacies to be invested.

OFFICERS OF THE SOCIETY.

1882.

PRESIDENT.—JAMES J. BARCLAY.

VICE-PRESIDENTS. { RICHARD VAUX.
EDWARD TOWNSEND.

TREASURER.—HENRY M. LAING.

SECRETARIES. { JOHN J. LYTLE,
WILLIAM SHANNON INGRAM.

COUNSELLORS. { HON. WILLIAM N. ASHMAN,
A. SYDNEY BIDDLE.

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William S. Perot,	William Whitehead,	Charles Hill,
Thomas Latimer,	John O. Connor,	William T. Wilkins,
Alfred H. Love,	William H. Jones,	William F. Lewis,
George Taber,	Charles Rogers,	Thomas C. Garden,
Theodore Trewendt,	Wilmer W. Walter,	Humphreys Garrigues,
William J. Mullen,	P. H. Spellissey,	David Masters,
Rev. Charles F. Diver,	Jesse Cleaver,	George S. Hensell,
Joseph Kinike,	George Hunt,	Clement A. Woodnut,
George W. Hall,	Edmund Claxton,	Albert H. Mullin,
William Hawkins,	Edwin Craft,	Edwin L. Peirce,
William Ingram,	S. W. Van Culin,	Samuel Jones,
Horace W. Pitkin,	Owen Jones,	Henry T. Claghorn,
Harry Kennedy,	Thomas J. Whitney,	Frederick J. Pooley,
Caleb J. Milne,	Dr. Ellwood E. Hopkins,	Marmaduke Watson,
Leonard N. Walker,	Dr. Chas. E. Cadwalader,	Rev. Samuel E. Appleton.

Visiting Committee on the Eastern Penitentiary.

Richard Vaux,	Leonard N. Walker,	William T. Wilkins,
Edward Townsend,	William Whitehead,	Thomas C. Garden,
Henry M. Laing,	William H. Jones,	Humphreys Garrigues,
John J. Lytle,	Wilmer W. Walter,	David Masters,
Alfred H. Love,	P. H. Spellissey,	George S. Hensell,
George Taber,	Jesse Cleaver,	Clement A. Woodnut,
Theodore Trewendt,	George Hunt,	Edwin L. Peirce,
Rev. Charles F. Diver,	Edmund Claxton,	Samuel Jones,
William Hawkins,	Edwin Craft,	Henry T. Claghorn,
Horace W. Pitkin,	S. W. Van Culin,	Frederick J. Pooley,
Harry Kennedy,	Owen Jones,	Marmaduke Watson,
Caleb J. Milne,	Thomas J. Whitney,	Rev. Samuel E. Appleton.

Visiting Committee on the County Prison.

William S. Perot,	George W. Hall,	Dr. Chas. E. Cadwalader,
William Shannon Ingram,	William Ingram,	Charles Hill,
Thomas Latimer,	John O. Connor,	William F. Lewis,
William J. Mullen,	Charles Rogers,	Albert H. Mullin.
Joseph Kinike,	Dr. Ellwood E. Hopkins,	

WILLIAM J. MULLEN is Agent for the County Prison, appointed by the Inspectors, and acting under their direction, and is also appointed by the Prison Society.

WILLIAM W. WALTER is Agent for the Eastern Penitentiary, appointed by the Prison Society.

NEW SERIES.]

No. 22.

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY.

PUBLISHED ANNUALLY
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"
INSTITUTED 1787.

JANUARY, 1883.

PHILADELPHIA:
J. H. CULBERTSON & CO., PRINTERS,
N. E. COR. EIGHTH & JAYNE STS.
1883.

CONSTITUTION

OF THE

Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence which are
based on the precepts and examples of the Author of Christi-
anity, are not cancelled by the follies or crimes of our
fellow creatures; and when we reflect upon the miseries of our
ch penury, hunger, cold, unnecessary severity, unwholesome ap-
arments, and
t, (the usual attendants of prisons,) involve with
them, it be-
comes us to extend our compassion to that part of man-
kind who
the subjects of those miseries. By the aid of
humanity
r undue and illegal sufferings may be prevented;
the link
ch should bind the whole family of mankind together, under all
circumstances, be preserved unbroken; and such degrees
and modes
of punishment may be discovered and suggested as may
instead of
continue habits of vice, become the means of restoring
our fellow
natures to virtue and happiness. From a conviction of
the truth
obligations of these principles, the subscribers have
associated
under the title of "THE PHILADELPHIA SOCIETY FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS."
or effecting these purposes they have adopted the following
STITUTION:—

ARTICLE I.

The officers of the Society shall consist of a President, two Vice-
Presidents, two Secretaries, a Treasurer, two Counsellors, and an
Acting Committee; all of whom shall be chosen at the Stated
Meeting to be held in the First Month (January) of each year, and
l continue in office until their successors are elected; but in
an election, from any cause, shall not be then held, it shall be
duty of the President to call a Special Meeting of the Society,
in thirty days, for the purpose of holding such election, of
ch at least three days' notice shall be given.

ARTICLE II.

The President shall preside in all meetings, and subscribe all
public acts of the Society. He may call Special Meetings when-
ever he may deem it expedient; and shall do so when requested
by five members. In his absence, one of the Vice-Presi-
dents may act in his place.

ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the
Society, and shall conduct its correspondence.

ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay all
orders of the Society, or of the Acting Committee, signed by
the Presiding officer and the Secretary, and shall present a state-
ment of the condition of the finances of the Society at each Stated
Meeting thereof.
Requests, donations and life subscriptions, shall be safely
received, only the income thereof to be applied to the current
expenses of the Society.

NEW SERIES.

No. XXII.

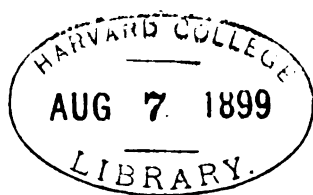
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JANUARY, 1883.

PHILADELPHIA:
No. 1602 Chestnut Street.



Prison Society.

J. H. CULBERTSON, & CO.,
PRINTERS,
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ROOMS OF THE
PHILADELPHIA SOCIETY
FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS.
No. 1603 Chestnut Street.

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January) 18th, 1883, the Editorial Board, (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of ALFRED H. LOVE, CHARLES ROGERS, JOHN J. LYTLE, HORACE W. PITKIN AND JOSEPH G. ROSENGARTEN, presented the draft of the Annual Report, which, being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At the Ninety-Seventh Annual Meeting of the Society, held First Month 25th, 1883, the Report was presented by ALFRED H. LOVE, Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have seven hundred and fifty copies printed, with authority to make such alterations and additions as they might think proper ; and they were also authorized to distribute the Report.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE,

Secretary.

JOURNAL OF PRISON DISCIPLINE.

NINETY-SIXTH ANNUAL REPORT OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

AS we close the volume of another year, and present with the Journal of Prison Discipline and Philanthropy, our ninety-sixth annual report, the Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons, finds it none the less interesting and instructive than any of its predecessors.

The evidences of the necessity of this philanthropic labor are even more manifest than ever before. The true economist and lover of his fellow men, finds continued occasion for a closer study of penology, and those who follow that injunction of high authority "Visit those in prison," feel in obedience thereto, the duty to present the results of such visitation, that the science may be perfected by introducing from time to time, such modifications as experience teaches are beneficial and in accordance with an enlightened civilization.

It remains one of the difficult problems of life, how to prevent crime and how to treat criminals properly. Whether it be the province of mankind to punish, and if so how it shall be accomplished, with a view to the reformation of the transgressor, and the protection of society.

saving; it strengthens the hope in the possibilities of the man, and confirms the sacredness and inviolability of human life.

This feature of the separate system of the State of Pennsylvania, deserves attention, and it is with pleasure and encouragement we refer to the late message of Gov. Henry M. Hoyt, of this State.

It will be remembered that not long after his inauguration, he attended the public meeting of this society, and modestly alluded to his desire to become better acquainted with its objects and workings. We very soon found he had this cardinal idea, which underlies the principle of the separate system.

He said on this occasion :

"That he came to the meeting in the attitude of a learner. He was not acquainted with the discipline of prisons, and he was there to get the results of the experience of those benevolent gentlemen who were. It was a great satisfaction that humane men and women, in establishing agencies for the alleviation of human misery, had not overlooked those undergoing punishment. People are apt to think the punishment of criminals self-imposed. The result is that they are slow in giving them either sympathy or aid. It was eminently proper and humane that some one should get access to, or help those, whose bodies the State owns for the time being, but whose souls are free, and to which neither the State, nor any one, except the owners themselves, have a right."

If we felt thankful for this encouragement then, we feel the more grateful now, for his message sent to the Legislature at the opening of this year, and which we heartily commend.

He says :

"The penitentiary system has reached about its limit of cells and capacity. It is conducted on the separate confinement or individual treatment system. It has not met with the uniform approval of those who claim to be specialists in this branch of political economy and social science. Congresses occasionally assume to condemn its mode of dealing with its inmates.

"It has for more than fifty years held consistently to the statute

creating it. Much as the system has been controverted, I deem it just, as one who has given some attention to the subject, to say, that for convicts who have deliberately joined the criminal class, for those whose age or repeated conviction render them amenable to punishment rather than reformatory methods, and for those against whose violent passions or confirmed habits society can find no protection but in incarceration, the separate system affords most complete opportunities of treatment and yields the most attainable results.

"There is no occasion to enter into the controversy which has long been carried on between the advocates of the congregate and separate systems of prison discipline, but to the Hon. Richard Vaux, who for forty years has continuously exercised the office of Inspector, and to his associates, is due the credit of demonstrating that the system of solitary confinement, as practiced in the Eastern Penitentiary, is not only not a reproach to the civilization of Pennsylvania, but that as a penitentiary and for certain classes of criminals, it is wise, humane and effective as any yet devised. In neither of the penitentiaries of the State has there ever been an attempt yet made to administer them on the vulgar, wicked, unworthy, consideration of making them self-sustaining. In neither of them has it been forgotten that even the convict is a human being, and that his body and soul are not so the property of the State that both may be crushed out in the effort to reimburse the State the cost of his scanty food, and at the end of his term what there is left of him be dismissed an enemy of human society."

It is wise that this separate system and individual treatment system be understood. We must argue from the system in its perfection, and not from that abused and disordered condition that comes from overcrowding our prisons and penitentiaries so that, in some instances, more than one person is forced to occupy a cell.

In its perfection as we may find in the Eastern Penitentiary, there are cells 20 feet long, 8 feet wide and 12 feet high, with ample ventilation at top and floor. The windows at the top are 6 feet long and 5½ inches wide, and can be opened or closed at the pleasure of the prisoners. There are two doors, the outer one being of thick wood, which is generally allowed to stand open ten inches, and the inner is a grated iron door, which remains locked, and has an opening large

enough to pass the food. Each cell is provided with every convenience which cleanliness and the best sanitary arrangements can suggest. There is a spiggot for water, and no limit as to the supply. There is a gas burner, and all the light required or desired. A bed, table and stool, and sometimes an additional chair, a small closet mirror, plate, knife and fork, towel, etc.

There is no objection made to the adorning of the walls by suitable pictures and ornaments, and the ingenuity of the prisoners is frequently wonderful in framing pictures and arranging brackets. Sometimes those with artistic taste fresco their walls with beautiful designs and mottoes. One, for instance, contains these impressive words: "In God we trust." "Cease to do evil; learn to do well."

Yards nearly the size of the cells are attached to those on the first floor, and we recommend all penitentiaries, prisons or jails to be constructed but one story high, so that each cell may have a yard. This yard is enclosed by a stone wall about the height of the ceiling of the cell, and the prisoner is allowed half an hour during seasonable weather, for exercise or gardening. Generally, they have their flower and vegetable beds, and take pleasure in producing something. There is a grated window in the door leading into the yard, which is opened on pleasant days. There are times when they have a few plants in their cells. They are allowed clocks and musical instruments, if provided by themselves or friends, and occasionally we find birds and other pets.

They can procure books from a well-stocked library, and can subscribe to one weekly paper of the county from which they came. Relatives or friends may visit them once in three months or oftener on special permission.

They may write home or to friends once a month or weekly if important—all letters passing under the supervision of the warden. They work in their cells, except in special cases. The keepers and others oversee this, and the moral instructor and teacher visit them. Besides this, the

Acting Committee of this Society have the chartered right, the same as any State officer, to visit as often and at any time, as is desired.

We are thus particular in describing these cells that it may be understood how well adapted this system is for reformation. The idea is to start with home life, to introduce cleanliness, good order, obedience and a personal and direct interest in the object of imprisonment. That it is successful, we can attest by finding in almost all cases entire cleanliness and sometimes considerable care and taste exercised, and the expression often made: "We want to make our little home look as inviting as possible, that you who visit us will come often, and that we may learn to take care of what we have, and then perhaps we will take better care of ourselves and not return." Some opponents take exception to this treatment and to these privileges, but we find *the more we emulate the self-respect of prisoners, the more we keep them from recommitment and insure them a successful future. The deprivation of liberty is enough.* The better educated they are, the more they experience the comforts of life; the oftener they are taken by the hand and recognized as human beings, the more they find there are those who are willing to associate with them, and the greater confidence there is reposed in them, the more *they desire to keep out of prison.* There is no one in but craves to be out!

It is well sometimes to contrast the condition of our Pennsylvania system with that of other States, though we do it with no invidious desire. We are favored by Mr. George W. Cable, who is nobly taking up the question of prison discipline in his State, of Louisiana, with a report of the first anniversary of the "*Prisons' and Asylums' Aid Association of New Orleans.*" There are reports as to the condition of jails in *forty-four of the fifty-nine parishes of the State.* But two have printed rules. *In only eight are such books kept as will prevent fraud.* *In eighteen, men and women are at times placed in the same cells.* One jail is simply a pen of logs, having no

door. Prisoners are lowered into and lifted out of it through a hole in the top. Many of the prisoners are too loathsome for description. Fifteen jails are reported as places of boisterous and indecent ribaldry. Eight are badly drained and ten badly ventilated.

The following sentences are from some of the reports received by Mr. Cable giving descriptions of jails: "*I am ashamed to describe our insane cell.*" "*A great lack of humaneness in moral and physical treatment.*" "*A lack of food and drink.*" "*Unfit for any human being to be confined in.*" "*A log building of two cells, where in summer no person could live a month.*" Another gives an account of *fourteen men, being confined in two cells, each 16 by 16 feet*; every four men thus being limited to a supply of air necessary to the health of one. Another says: "*A true account would be too disgusting for recital.*" The parish prison in this city Mr. Cable describes as a disgrace and a nuisance. It is so foul that, if the wind be in the right direction, you smell it before you reach it. He proceeds to point out glaring defects in its management.

It is true that all the prisons of Pennsylvania are not conducted on as correct principles as are those of Philadelphia, but in this statement of the condition of some of the jails of Louisiana, though they may be more like station-houses, is occasion for serious comment, and we trust the Society organized in New Orleans, and managed by persons of known ability, will correct the startling abuses. We should have a National Prison Society to take into consideration the condition and management of prisons throughout our country. Our fellow member, Edwin Craft, during the year visited a number of the county jails, and made the appended report, which shows we are taking a wide range of this subject, and the facts elicited prove the necessity for greater efforts being put forth, and that every county should have an auxiliary prison society:

It is often asked what punishments are visited upon those

in the Eastern Penitentiary, and County Prison of Philadelphia. In the former especially, where the system has a fuller opportunity for being tested, there is virtually no punishment, but rather a deprivation of what may be denominated comforts—the withholding of the privilege of writing home, of the little variety of food, of going into the yard, of receiving books, and very occasionally the taking away of the bed and chair, and giving merely a blanket to lie upon—all in keeping with the command: “If any would not work, neither should he eat.” These means are successful. There are no corporal punishments. It has been a long time since any one was placed in the dark cell. During the past year there has been no serious insubordination, and no attempted escape.

What is done to stimulate a feeling of interest and of self respect, and to induce reformation?

In the first place there is *no contract system of labor*. The thought as to whether the penitentiary shall be self-sustaining or not, never enters into the calculation, for that is purely mercenary, and this is a humane, protecting and reformatory system.

It gives work, for work is wholesome; it sells the results of labor, because that brings in a revenue, it teaches employments, because with a knowledge of trade, the discharged may feel a self-reliance that will support life and prevent crime. But it imposes simply a task, and says all over that task belongs to the prisoner after a small percentage to the county from which he came. This over-work pay stimulates industry, and the amount of earnings to the good workman is frequently large, and has been known to reach several hundred dollars; of course this is contingent somewhat upon the term of imprisonment.

We have known prisoners rise very early and work as late as the officers would permit, even taking the holidays for it, for then all would be clear gain, in order to lay aside something for their families outside, or to sustain them when discharged.

This is the best of pay to the state: Encourage men to be industrious, prevent crime and recommitments, give employment and stimulate all to taking care of themselves.

We feel assured that this reform is taking hold in other states. Governor Cleveland, of New York, said in his recent inaugural that "he believed that state prisons should be self-sustaining, but the state should not seek for a profit from prison labor." The *Economist* of his state thus characterizes the contract system:

"The result is, that more than half of all the irritation, discontent, insubordination and punishment in our State prisons is due, directly or indirectly, to the baneful influence of this system.

"The contract system obstructs and renders nugatory all influences and agencies looking or tending to the reform of the prisoners. In former times, the moral amendment of criminals was regarded as an impossibility. Thrust away from public view, they were abandoned, as irreclaimable, to the mercy of men often more wicked than themselves. Happily, this hard, cold, cruel doctrine has been exploded. Experience has shown the possibility of reformation even within the walls of a prison, and has brought thinking men to the conviction that the proper object of prison discipline is to cure the bad habits of criminals, and make them honest, industrious, useful members of society. But reformation does not follow as a matter of course upon imprisonment. It can be effected only through a system of agencies wisely planned and patiently carried out. The chief of these are religion, education, and industrial education. It is at this point that the contract system infringes, with a crushing force, upon the great work, and too often the collision proves fatal to it. Contractors, as such, have no interest in the reformation of prisoners. Their interest and the interest of reformation not only do not run in parallel lines, but are repellant and antagonistic. Thus does the system of contract labor, by an instinct of its very nature, oppose itself to all those vital forces of reformation, by which, if at all, the inmates of our prisons must be redeemed, regenerated, and re-absorbed into the mass of upright and honorable citizens."

And Benjamin F. Butler, of Massachusetts, in his inaugural says:

"Might not a certain percentage of the earnings of the prisoner be invested in a fund, apportioned according to his deserts and length of service, and be given the prisoner when he is discharged, to start him

in the world again—this percentage to be enlarged when the prison becomes self-supporting? Would not such provision be much better for the self-respect of the convict, being his own, than the pittance that is now doled out to him by an officer known as the ‘agent for aiding discharged convicts?’”

We are gratified that our State has inaugurated this principle of partnership in the prison duties. There is nothing required of a prisoner in a properly conducted Pennsylvania prison but that it reacts to the advantage of the prisoner. He thus has a direct interest in his own behavior, labor, time and life.

In the Eastern Penitentiary a sort of Savings Bank is introduced, and in 1882 there was earned by overwork by the prisoners about \$20,000, and about \$10,000 either sent out to their families or deposited for their use when discharged.

There may be a still further division of the results of this labor that would be in the line of justice. If the prisoner has defrauded, robbed or deprived any one or any family of means of support, *let him make restitution for such*, and aid in the support of such a family. There is much true philosophy in able-bodied men who have committed injuries upon their fellow-men working in prison, as well as out of prison, in making amends for the wrong committed, directly to those who have been wronged, and many good results would flow from this reform.

Especially would this be wise in cases where the prisoner had removed the head of a family, or so injured any one on whom the support of a family depended. Instead of putting such a person to death, how provident it would be to employ that life, with its strength and vigor, in providing for that destitute family in whole or in part.

We have found that prisoners are better for being employed, and we urge most strongly that work shall be given more generally to those in the County Prison. Better to keep them employed and give away or destroy the results of their labor than not to have them work at all.

There should be a *Commission on Employment*. Trades should be taught those who know no trade or have no business traits or callings. Above all, good paying employments should be introduced—those, that, if followed when the day of discharge comes, will afford a living. The mistake in prison employment is that the old hackneyed work is followed year after year. There are turned out hundreds of shoemakers, weavers, cane-seaters and the like, rather than those who have been taught the trade or the business that is not overdone. An employment commission would go far to obviate this as well as any deleterious effect of prison labor upon free labor.

The *United States Economist* understands this, in the following:

"Let our prison officials study the policy of that enlightened and noble prison reformer, Colonel Montesinos, of Spain, who introduced into his great prison at Valencia, averaging a thousand inmates, no less than forty-three distinct trades, and allowed each man to *choose* the trade he would learn, at the same time encouraging his industry by remitting to him from one-third to one half of the earnings of his labor. And what were the results? A prison administration conducted mainly through convict sub-officers; a prison wholly supporting; prisoners diligent, cheerful, obedient; disciplinary punishment almost unknown; and re-committals brought down from fifty per cent.—the proportion to which they had risen before his incumbency—to zero; for during the last three years of his administration not a man came back who had been in the prison before.

"The declaration 'that no skilled mechanic arts should be introduced among convicts' is in the very spirit of Carlyle's 'Model Prisons'. It is a sentiment which belongs to a former and more barbarous age, and indicates a policy as foreign to the wisdom as it is to the humanity of our own; for its inevitable tendency and almost certain result would be to force every man who has once, no matter under what stress of circumstances, deviated from the strict line of right, to follow crime as a business for the rest of his life, and so to open upon society the very flood-gates of wickedness and rascality."

To stimulate the feeling of self-respect, the management of the separate system recognizes the principle that *prisoners have rights*. Under a former warden this was exemplified in

the Eastern Penitentiary. A keeper complained that a certain prisoner was using abusive language, declined to do the work given him, and threatened to kill any one who entered his cell. He volunteered the advice and demanded that he should be placed in the dark cell. The warden replied, "When I want your advice I will ask it. I will go into the cell and see the man." The keeper begged he would go armed or take two keepers with him. "No," said the warden, "I allow no one to carry deadly weapons, and I want no one to go in with me. You may stand back outside the door, if you choose." Then quickly opening the door and as quickly approaching the prisoner, taking him by surprise, placing his hand gently on his shoulder he said: "Tell me what is the matter. You are a good worker, and generally do your duty." The man, trembling with rage, replied: "I am imposed upon. I am willing to do my task, but the keeper is pushing me to do more than I can." The warden said: "If you are imposed upon you shall be protected. Although you are a prisoner, you have your rights. I will investigate it, and if you are wronged, I will take your part." The convict, a great strong man, weighing over 200 pounds, leaned against the wall, with his head bowed on his arm, and wept bitterly, saying: "Mr. Warden, do you mean to say that I have any rights, and that you will take my part? I will do anything for you. If you want me to make these extra pairs of shoes I will get up earlier and work later but what I will do it."

The warden went out and called the keeper aside and found that there was an order for shoes, and the party wanted a certain number by an early date, and that he was pressing this prisoner and requiring more of him than his task, and more than he could do; so he told the keeper if any one needed reprimanding he did, and not the prisoner. He then went to the convict and explained wherein he had done wrong in using offensive language and threats to his keeper, but that he would see that he was not imposed upon. The

prisoner promised, and faithfully kept his word, to be well-behaved and to work steadily. This point of the rights of prisoners is further confirmed by a convict having the option of receiving visitors, even from the Acting Committee. If he does not want a visit, or objects to a certain visitor, such visit is not forced upon him.

This provision was made many years ago by the Prison Society. It regards the privileges conferred by the State upon the society, and those given by the society to its Acting Committee, as so important and responsible that they should be used with the greatest judgment. The first consideration is *not to lower the convict still lower*; not to take away his spirit of individuality; to try and recognize some rights, and to let him feel that he has them. In a word that he is a *man*. Hence his willingness and pleasure to receive visits are consulted. It is very seldom that the visits are denied. He is grateful for them and desires their repetition. The privilege is only exceeded by the opportunity of doing good and to fulfill the duty requires a close reliance upon the Divine guidance.

That this recognition of the rights of the prisoner with added kindness will win, was illustrated during the year with a self-willed, reticent Swiss prisoner. At first he wanted no visit. Upon the door being opened he would exclaim, "Have you that whisky—that's all I want." By proper reply and *declining to force visits*, and yet by offering him reading matter, and in the spring by giving him seeds and plants for his little yard, and by appropriate references to his condition, friendly visits were made and an improvement became manifest.

Among the rights conferred upon prisoners is that of *shortening their sentences by good behavior*.

The Pennsylvania law on this subject is as follows:

"*Be it enacted, etc.*, That all prisoners who have been or shall hereafter be convicted of any offence against the laws of the State of Pennsylvania and confined in any State prison or penitentiary, in execu-

tion of the judgment or sentence upon such conviction, who so conduct themselves that no charge of misconduct shall be sustained against them, shall, if the Governor shall so direct, have a deduction of one month on each of the first two years; of two months on each succeeding year to the fifth year, and of three months on each following year to the tenth year, and of four months on each remaining year of the term of their sentence; and shall be entitled to their discharge so much the sooner, upon the certificate of the warden or principal keeper of such prison or penitentiary, with the approval of the Board of Inspectors of the same.

The following Table will exhibit the amount of time in years and months which may be earned by convicts under the above

Commutation Law.

Sentence.	Reduction.	Sentence.	Reduction.
1 year.	1 month.	9 years.	1 yr. 9 months.
2 "	2 "	10 "	2 " 1 "
3 "	4 "	11 "	2 " 5 "
4 "	6 "	12 "	2 " 9 "
5 "	9 "	13 "	3 " 1 "
6 " 1 year.		14 "	3 " 5 "
7 " 1 "	3 "	15 "	3 " 9 "
8 " 1 "	6 "	16 "	4 " 1 "

"NOTE.—The Commutation Law of the United States, (applicable only to U. S. convicts), which was approved March 2d, 1867, allows of a deduction of but one month in each year from the term of their sentence."

The prisoner has the further right to object to the person locked up with him when this duplication becomes necessary for want of cells. His right to decide on the kind of work is somewhat respected, being governed by that which is appropriated to his corridor. He may thus be frequently moved.

All good habits that prisoners have are encouraged. For instance, a carpenter was accustomed to bathe daily. Soon after being in he asked permission to build a bath-tub in his cell, and it was granted. Then he wished to put up a closet that was allowed. He made himself a table, and being an excellent workman, he has his tools, and is furnished lumber. This comes from a study of the character and ability of each individual prisoner, and who will not say it is the best system ever devised.

A case of wise discrimination occurred when a miller was received. The Warden utilized him. Previously the flour was bought for the institution. A mill was erected and the miller put to work grinding grain and teaching other prisoners the art of milling, so that when his term expired there would be a succession of millers, thus introducing another and valuable industry, and saving money.

In this connection we feel it a duty and a pleasure to refer to the able administration of Michael J. Cassidy, the present Warden of the Eastern Penitentiary.

It was natural for us to feel that in the resignation of the late Warden, Edward Townsend, so long a member and officer of this society, and so efficient in every department that he filled, that we would be unable to fill his place, but fortunately for the cause in which we are interested, his successor has proven not only competent but satisfactory. He has introduced the *weekly bath* for each prisoner. There are about 1,000 inmates at this time, and by judicious management, having several bath-rooms, he succeeds in securing to each prisoner the opportunity of a bath.

Some prisoners being gardeners, he has had greater attention paid to cultivating flowers. The spaces between the corridors admit of flower beds and conservatories, and having good mechanics he put them to work and built several greenhouses. One, quite large, has a fine display of roses and other flowers, which are for sale for the benefit of the institution. He makes a tasteful display of them at convenient places in the building.

He continues the plan of gathering the employés of the institution five evenings of each week, especially during the winter months, in his office, for conference and instruction in prison discipline and a proper understanding of their duties. Books and papers on the subject are sometimes referred to, and there is no doubt of the propriety of this system of making good prison keepers. In connection with

this subject we quote from an esteemed correspondent who thus alludes to this principle in the State of New York:

"To make the discipline of our prisons effective in the reformation of their inmates the standard of official qualification in the officers must be advanced to a higher point than has ever yet, as a general rule, been attained. There should be on the part of the officers a hearty desire and intention, if possible, to accomplish this great result. Such a feeling and purpose, really existing and operating in the minds of all prison officers, would of itself revolutionize the prison management of our State—yes, of our country and the world. It is not so much any specific apparatus that is needed, as it is the introduction of a really benevolent spirit into our entire prison arrangements. It is the exercise of the Christian virtues as related to man that is wanted, exhibited under the control of principle and conscience, not of mere sentiment and impulse. Once let prison officers understand that their business is to *reform*, and not merely to *punish*, their fellow-men, and let their intention be conformed to this conviction, and they will speedily become inventive as to specific methods.

The warden seems gifted in very promptly deciding the requests of prisoners. He gives a full and ready hearing and answer to each, and has co-operated in keeping out of the penitentiary that injurious literature that infests society, with horrible illustrations and sensational stories.

He sees, as does every visitor of the Society and the able Board of Inspectors, *the necessity for additional cells*, so that there shall not be more than one prisoner in a cell. The law of the State, the sentence of the court, and the experience of every one accustomed to visiting the penitentiary, declare for a separation of one convict from another.

There are several means of effecting this requirement. One is to give us more cells; this is the first thought, but not the best. Let the counties have proper jails, and visiting committees in each, and keep at home their convicts, except in extreme cases. We know many county jails that are not full, and yet their convicts are sent to the Eastern Penitentiary. Another is to make the sentences shorter. Long terms discourage; the prisoner grows morose; he loses hope. Reformation, if at all, takes place generally in the first

three years ; but we submit as the better plan, to *abolish all time sentences*. When the person charged with crime is proven guilty, sentence to the penitentiary—a place for repentance. He is morally sick ; he requires medicine. Treat him as we would a diseased person. Give the medicine until he is cured, and cease giving it when restored.

As it is now, the court goes by the law book, and not by the individual. There are circumstances and conditions in every convicted person that cannot be generalized by a written law ; and it is not fair that it should be. The Howard Association of England says :

“All prisoners of the habitual misdemeanor class should be liberated only on such probation, or during good behavior. This failing, they should be promptly remitted to prison for a further degree of training. And, if necessary, the original term of liability should be extended or repeated if no real evidence and proof of reformation were forthcoming at its expiration. In his own interests and those of society, every criminal, after a first imprisonment, should be safely “put through” into industrious and honest habits. And, like a damaged boat, he should be overhauled again and again, until able to float safely along the social stream. For it is utter folly, morally and financially, to discharge, as at present, thousands of prisoners annually, with the certainty that they are not qualified to cease their depredations or to live honestly.”

This principle of imprisonment which we present, as a remedy for crime, must be supplemented by a committee or commission composed of those familiar with the daily lives of the prisoners, certain officials of the institution and such visitors who are qualified by their judgment and their faithful discharge of their duties. Thus a very safe and laudable system would be introduced for protecting society and reforming the criminal. It is directly in the line of the separate and individual treatment.

There is a manifest increase in the category of crimes, without being an actual increase of criminals. It may be that an advanced civilization characterizes as crimes what were at one time classed as misdemeanors. The counties

are sending to the Eastern Penitentiary convicts sentenced for one and two years for being tramps, and against whom no other charge had been made than vagrancy, the parties were seeking employment and were simply arrested because out of work and without a home. Three came lately from Bucks County, and two each from several others. This is one reason why the penitentiary continues to be overcrowded.

The Moral Instructor, Rev. J. Y. Ashton, ably continues his Sabbath morning exercises. The singers and speakers appear with marked regularity at nine o'clock, and divide off into the different corridors, giving acceptable interest and instruction to the prisoners, who are allowed to unite with the singing, each one being furnished with a hymn book.

The popularity of these gatherings became so great last year that the number of persons admitted had to be limited, to those procuring tickets, about seventy-five, and comprising members and those sympathizing with them, of almost every denomination.

The oldest keeper, still active in his duties, and very efficient, is William Noble. He has held his position under every warden that has been in office, and now has the complimentary mark on the left shoulder, "forty-five years' service."

The necessity for a *fund for the relief of discharged prisoners* is constantly experienced. Several of our members have offered to contribute sums of \$1,000, provided ten such could be found, and thus create a permanent fund that would aid those worthy of being helped, when upon their discharge they require it.

Our work will forever remain incomplete until this is accomplished. The reasons why this is demanded are fully set forth in the following memorial to the Senate and House of Representatives of the State of Pennsylvania. It was presented a few days ago, hoping that what we are unable to

raise among ourselves will be supplied by the State, a source indeed from which we have every reason to expect it.

We still trust the ten contributors of \$1,000 each will be found.

MEMORIAL.

GENTLEMEN :

"The Philadelphia Society for Alleviating the Miseries of Public Prisons," founded in 1787, and incorporated by the State of Pennsylvania, feels the need of State pecuniary aid.

For nearly one hundred years its members have rendered personal, constant and gratuitous care to the prisoners of fully one-half of this State, visiting them continuously in their cells, giving them wise counsel, urging reformation, and encouraging and aiding them by every means in their power; and being rewarded by frequent changes in their conditions, not only while in confinement, but after discharge, in some instances finding them occupying honorable places in society.

The separate system of our State—the model system of the world—admits admirably of that treatment, whereby re-commitments are lessened and the opportunities for reformation increased.

The voluntary contributions of the members of this society, through these many years, are inadequate for perfecting a work which saves not only the lives and characters of human beings, but thousands of dollars to the treasury of the State, and at the same time gives greater protection to the community and exalts the standing of our commonwealth.

We believe that only about \$6,000 have ever been received from the State during this century of hard labor, and it is found absolutely necessary, if we expect to prevent crime, reform the criminals, perform our whole duty as citizens, and add greater protection to the community, that we have a place or places to which to direct deserving prisoners upon their discharge, at least for a few days, until they can find employment or a suitable boarding house.

It is manifestly improvident and a dereliction of duty, after visiting, counseling and befriending a prisoner for perhaps a term of years, obtaining his confidence and finding him determined to reform, to leave him on his discharge, without a home, without a friend or without employment.

It not unfrequently happens that his old home has been broken up, death has removed loved ones, and no place is open but the low drinking and lodging places where the charge is within his scanty means.

It is at such times the Prison Society requires a fund that with judicious care will afford relief to the deserving, and perfect the work they have been doing.

If sick, or requiring help to reach distant homes, it is especially necessary to have the means for rendering aid.

It often happens that tools, employment and a start in some way, are required to insure a better life. After a prisoner has been taught a trade and has contracted habits of industry, and is a good workman, and is willing to go to work, it is essential that upon his discharge he should be judiciously aided to overcome the many difficulties that beset him.

Another reason for appealing to you is, that at this season of the year proper clothing is required. It is true a cotton suit is furnished by the State Penitentiary for the Eastern District of Pennsylvania, when the old clothing is too much injured by the lapse of time, but it is not sufficient, and it becomes our duty to provide that which is warm and sufficiently respectable.

As Philadelphians, we have the care in this way of the prisoners from the eastern half of the State, and we could mention many additional reasons why this society appeals to you for the appropriation of \$5,000 for the next two years, to be drawn, say quarterly, and solely for the use of the deserving prisoners discharged from the State Penitentiary of the Eastern District of Pennsylvania, and not one dollar for the pay of any one of its members.

Very respectfully, by order of the Philadelphia Society for Alleviating the Miseries of Public Prisons.

JAMES J. BARCLAY, President,
JOHN J. LYTTLE, Secretary.

Philadelphia, December, 1882.

While these efforts are being made for the welfare of the discharged prisoners who are anxious to avoid falling into their former criminal habits and who deserve care and encouragement, we note with gratitude that the Matron, Mrs. Susan McCoy, continues faithfully at her post, in the Woman's Department, contributing her time and counsel most earnestly, to reform those placed under her charge.

About one-fortieth of the inmates of the Eastern Penitentiary are women, and to them Mrs. McCoy acts the part of a friend, a mother and an excellent adviser, and it is a rare occurrence that any of them are re-committed. The

opportunity for woman's influence in our prisons might be extended to advantage.

SOCIETY'S AGENT OF THE EASTERN PENITENTIARY.

We cannot pass from the consideration of the work of this society in the Eastern Penitentiary without a special reference to the very important and satisfactory services of Wilmer W. Walter, as the agent.

He visits especially every prisoner about to be discharged, and sees to his outfit and his future. He carries with him tickets for meals and boarding houses for temporary aid; he assists those who wish to reach distant homes, and endeavors to obtain employment for all. His hand is open to the needy just at the time when help is most desired, and the aid he renders is greatly appreciated. While it goes far towards preserving from a return to a life of crime, it saves the State both treasure and disgrace. Experience teaches us that more could be done, if the means were provided.

The following brief extract from his report will prove his useful and arduous position, and we know cases where he has aided the deserving, who have been discharged over ten years, but who have become prostrated by sickness or misfortune, and naturally turn to their old benefactors. It is no ordinary satisfaction to contribute to their comfort as a reward to their faithfulness.

Mr. Walter says:—

To the Committee on Discharged Prisoners of the Eastern Penitentiary, Philada.

Gentlemen:

Below please find a summary of my work as your agent for the year ending Twelfth mo. 12th, 1882.

Total number Prisoners discharged during the year,	-	417
Of this number there went to the country,	- - -	194
Remained in the city,	- . . - - -	223
		— 417
I accompanied to the depots and procured tickets for	-	61

Also procured transportation, partially with the Society's funds, for - - - - -	5
Procured situations for - - - - -	9
Also, procured 4 sets of mechanics' tools,	
" 1 suit of clothes and 17 articles of clothing.	
Furnished 37 with meals and 16 with lodging.	
Procured permit and accompanied <i>one</i> to the Presbyterian Hospital.	
Also secured after much labor and difficulty, a permit, and sent <i>one</i> to the Insane Asylum, at Norristown.	
An old man, discharged and having no home, being sick, secured his admission to the Almshouse.	

During the year I have devoted myself to the care of the discharged as well as to those still under sentence, and have endeavored faithfully to impress upon the prisoners, the necessity of forsaking their evil ways and leading useful lives, as good citizens, upon their discharge.

As a sample of some of my work and the fruits thereof, I would mention the following cases:

One who is still under sentence, during last year called me to his cell and told me that owing to the loss of an arm in the service of his country during the late Rebellion, he was in receipt of a pension from the Government. This he had saved and he was desirous of investing it in a home for himself and family, so that upon his release he might have a home, and be away from his evil associates. At his request I called upon his wife and talked the matter over and the result was, that going to see a property at Vineland, N. J., which pleased his wife, I had the details of the purchase arranged, and in a few weeks, all the papers in proper shape and recorded, and the wife now occupies it, awaiting her husband's discharge.

Another who was discharged during October, had over \$2,000 in money and securities. After leaving the prison some of his old friends were around the gate, wishing to have what they called "a good time with him"—I, however, held on to my man and took him to the Fidelity Trust Co., where I had him deposit his valuables and thus prevented the pretended friends, but the most dangerous of enemies to the discharged, from reaching him further.

Innumerable cases could be given, but they are only counterparts of the above.—One of the greatest evils I have to contend with for the prisoners, is that many of them when they come out, have no place to which to go. During the year, at the Society's expense, I have furnished lodgings and meals to some, (as you will note by the report,) and thus tried to care for them until they could get something to do, or else leave the city and try elsewhere. It seems as though some temporary home, or other provision should be made for such men and

thus save them from the encroachments of sharpers and other improper influences, leading to unfortunate re-commitments.

I have used my utmost endeavors to advance the interests of the Society and the welfare of those who have yielded to temptation, and thus become subject to the rigors of the law, and trust my labors may not have been in vain. My thanks are also due the officers of the prison for their many courtesies and kindnesses to me, and trusting that my labors may have met your approval, I am

Respectfully yours,

W. W. WALTER, Agent.

P. S.—I am in receipt constantly, of letters from those who leave the city, and all of them expressing the greatest regard for their many attentions, etc., from the members of the Society, and are full of hope for their future careers. These letters I am always glad to receive, and generally answer.

For instance, one says: "I have reached home and have been working at the shoemaking business ever since. Remember me, for I am so much obliged to you for the tools and your timely aid."

The excellent rules placed in each cell by the Inspectors, and the kind manner with which they are presented, are worthy of notice in our report.

The plain and valuable admonition given the prisoners upon the same card, proves how earnestly they are striving to save them mentally, physically and spiritually. We extract as follows:

First.—You must keep your person, cell and utensils clean and in order.

Second.—You must obey promptly all directions given to you, either by the Inspectors, Warden or Overseer.

Third.—You must not make any unnecessary noise, either by singing, whistling, or in any other manner, but in all respects preserve becoming order. You must not try to communicate with your fellow-prisoners in the adjoining cells, either from your own apartment, or during the time you are exercising in your yard.

Fourth.—All surplus food must be placed in the vessel provided for that purpose; and all wastage of materials, or other dirt, must be carefully collected and handed out of the cell when called for by the Overseer.

Fifth.—You must apply yourself industriously at whatever employment is assigned to you, and when your task is finished, it is

It is recommended that your time be devoted to the proper improvement of your mind, either in reading the books provided for the purpose, or in case you cannot read, in learning to do so.

Sixth.—Should you have any complaint to make against the Overseer having charge of you, make it to the Warden or Inspector; if against the Warden, to an Inspector.

Seventh.—Be at all times, in your intercourse with the Penitentiary, respectful and courteous, and never suffer yourself to be led astray from your duties by angry or revengeful feelings.

Eighth.—Observe the Sabbath; though you are separated from the world, the day is not less holy.

* The Inspectors desire to treat every prisoner under their charge with humanity and kindness; and they hope that in return the prisoner will strictly conform to the rules adopted for his government, which are not merely advisory, but are law to him, especially the third, any violation of which will incur proper punishment.

Special Notice. Violations of these rules or any part of the discipline of the Institution, will deprive the prisoner of the benefit of the Commutation Law.

1. The effects of self-abuse are so numerous and so terrible, that all should be warned against it; the responsibilities of our relations to you make it our duty to give you this warning.

The results of this destructive vice appear; first in the derangement of the digestion, respiration, circulation and absorption of the secretions, which are most ruinous in their effects.

That insidious and fatal disease, pulmonary consumption, terminating in speedy death, is a common result.

It produces the most violent palpitation of the heart, tumors, atrocious engorgements, derangements of the skin, blotches, dropsies, hemorrhages of the lungs, and a most troublesome marasmus, or, in other words, a consumption of the flesh.

It also weakens the genital functions and produces derangements of the nervous system, which are often incurable.

2. Among the disastrous effects produced is the entire destruction of the intellectual faculties, which become incapacitated for all useful occupations. Those who habituate themselves to this debasing vice, frequently lose all taste for society, and seek solitude under the idea that their crimes may be detected in their faces.

Self-pollution brings its victims to a level with the brutes; it deprives them of the best privileges of intelligence and reason; it exhausts all the pleasures of life, and confirmed insanity follows.

The statistics of the Insane Asylums of the country show that a large percentage of the inmates have been brought there by this humiliating and polluting vice.

3. The penalty incurred is sufficient to convince the sufferer that one of nature's holiest laws has been set at naught and violated.

4. It is a violation of the law of chastity, and leads to impurity of thought and licentiousness of life. It produces self-abhorrence, shame and remorse.

It debases the moral faculties, because it is a sin against nature and a sin against God, and whatever is wrong, is injurious to the whole man—Body, Mind and Soul.

It is wrong because it enfeebles both body and mind, and becomes almost an impassable barrier to the reformation of character.

He who continues this habit cannot have either a healthy body, a sound mind, or pure morals. He cannot perform his due share of labor in any of the departments of life. He cannot think and judge correctly. He cannot enjoy the truths of nature or of science, neither can he appreciate the doctrines and precepts of Revealed Religion. He destroys himself.

Let all who have been addicted to this loathsome vice here described, Stop, at once Stop!

THE COUNTY PRISON—MOYAMENSING.

A no less important field of operation is found in the County Prison of the City of Philadelphia. The Committee having this Institution especially under their charge, in behalf of this Society, report the number of visits for the past year as 177, and, with the exception of the overcrowding of cells, the general condition, excellent. There is an increasing demand, more urgent than ever, for more room or a new prison. A special committee to confer with the society for organized charities has been appointed to apply to the City Council for relief in this direction, and the reports to this time, encourage us to believe the application will be granted.

There is a pressing need that work be furnished those imprisoned, not only that trades be taught, but for actual daily employment. There is an immense amount of strength and

vitality lost by idleness, and we may add that that condition does not contribute to reformation or virtue. A good class of reading matter should be furnished the tried and the untried departments.

The able Board of Inspectors, doubtless, are doing what they can for the welfare of all, but they labor under many disadvantages.

It is gratifying to know that through the efforts of our new Prison Agent, Charles Heritage, there have been permitted an organ and singing, in connection with the religious exercises, once a week. The beneficial results already manifested, will doubtless increase such good work.

This reference to the Prison Agent brings to our report the sad page, of recounting the death of William J. Mullen, which occurred on the 21st day of July, 1882.

At a meeting held six days afterwards by this Society, a number of members paid appropriate and impressive tributes to his memory, and Alfred H. Love offered the following:

MEMORIAL.

The cloud that was unmistakably rising near the setting sun has overspread this Society.

The revered friend, faithful officer and indefatigable philanthropist, William James Mullen, in his seventy-eighth year, has yielded to the infirmities of age, the wear and strain of peculiar and arduous duties, the inroads of disease, and that natural limit to the lease of the mortal, for the grander victories of the spiritual and immortal existence.

But there are clouds that are so illuminated by the fountain of light, that, instead of gloom, they shed a glow of effulgence over all, and seem for the people, as of yore, "the pillar of a cloud by day to lead them the way."

It was emphatically thus with this remarkable character.

Intensely sensible of the void that has thus been created in our Society, and with a full assurance of the inadequacy of any formal declaration to fully express our sorrow, appreciation and respect, we are nevertheless moved in resolution:

First. That William J. Mullen, our late Prison Agent, has faithfully performed the duties to which he was elected in 1854, and to

which he has devoted nearly thirty years of his life, not alone to meet the obligations to us, but because, realizing the injunction "bear ye one another's burdens," he felt the higher obligations to created and Creator.

Whenever a human being had missed his way amid the rough places of life, he not only sought, by persistent and untiring efforts, to make "the way plain and the crooked paths straight," but to restore that person to the true road that leadeth unto righteousness. Not alone this, but he had a natural abhorrence to injustice and imposition. He knew the rigors of statutory law, the cruelty of passion and revenge, and the abuse of power where pecuniary considerations were involved under the committing magistracy, and he grappled with the gigantic subject of saving the poor, the weak and the innocent from unjust and oppressive incarceration. With almost fatherly care he shielded the household; he revered the home, and by every means in his power kept parents and children together. He stood the champion of mercy between the unprotected victim and the cold letter of the law book, and, with convincing arguments of facts, showed the abuse of the old order of committing constables, depending upon fees, and was mainly instrumental in the substitution of the present paid magistracy system.

Second. *Resolved*, That not only do we hold him in affectionate and grateful remembrance for his punctual attendance at our meetings, in the courts and at our County Prison, seldom missing a single hour, whether in the heat of summer or the severity of winter, by day, and, if required, even by night; not only do the fifty five thousand and more of human beings who have been released through his interposition owe him a debt of gratitude, but the city of Philadelphia has cause to acknowledge his labors, inasmuch as he saved the treasury, since the commencement of his agency, over \$650,000, and a much larger amount to those directly interested.

Third. *Resolved*, That as Prison Agent and as a humanitarian he fulfilled in a wonderful manner the obligations of the righteous.

"I was an hungered and ye gave me meat."—He distributed food to those in want during the severe winters, and, indeed, at all times. "I was thirsty, and ye gave me drink."—He always had "the cup of cold water" for the needy, and, as a temperance man, was earnest and active in establishing drinking fountains for man and beast. "I was a stranger and ye took me in."—He was instrumental in founding a home for the poor and wandering. The House of Industry, in Moyamensing District, stands a monument to his zeal and sympathy, and its success gave an impetus to the present efficient system of organized charities in Philadelphia.

"Naked and ye clothed me," "I was sick and ye visited me."—He early moved in supplying clothing to the destitute, and establishing a dispensary, which has given relief to thousands of persons. His determination to make use of vacant churches at night as lodging places, rather than have the homeless turned upon the street, and to use them by day as workshops, rather than have vagrants and paupers, led to the founding of the "Philadelphia Society for the Employment and Instruction of the Poor," and out of such efforts was developed the system of soup houses; and, when the trying times of the rebellion were upon us, he was faithfully caring for sick and wounded soldiers.

He so favored equal rights, anti-slavery, temperance and peace, that he was found working with all, for the uplifting of the people. He was the first president of the Female Medical College, and remained such for several years. "I was in prison and ye came unto me."—This was another inspiration of his life and he united himself with the Philadelphia Society for Alleviating the Miseries of Public Prisons. He was filled with sympathy for all; his ear was open to the sorrows and complaints of his fellow-beings, and his hand ever ready to assist and save. He had the indomitable courage and unfaltering faith "that will remove mountains."

He was cordially taken by the hand by our venerable president, James J. Barclay; the judges of our courts and officials everywhere acknowledged his untiring devotion, and it drew from our departed and revered vice-president, Joseph R. Chandler, who, as president of the Board of Inspectors of the County Prison, had abundant opportunity of knowing his labors in that institution, the remark: "You scarcely know the worth of William J. Mullen." He was no one's successor; but like John Howard and Elizabeth Fry, he made the office he so efficiently filled, and he leaves it with requirements so high and so difficult to meet, that we are not unmindful of the responsibility and almost inability to fill it.

He was more than Prison Agent, more than *our* agent; he was the prisoner's friend, and an agency of that Divine power that has decreed that "Inasmuch as ye have done it unto one of the least of these, ye have done it unto me."

As his days were days of usefulness and righteousness, his close was one of peace. He passed to his reward "as one who takes the drapery of his couch about him and lies down to pleasant dreams."

Fourth. *Resolved*, That we tender to his bereaved family that sincere sympathy that is genuine, because from long and close association we learned his worth, and if *we* have lost a friend and co-laborer, dearly beloved, *they* have lost a still greater treasure in the father and the light of the household.

Fifth. *Resolved*, That the above be spread upon the minutes and printed in the public papers, and that a committee present a copy to the family.

It was fortunate that Philadelphia furnished a successor to Mr. Mullen so competent as Charles Heritage, who received the appointment of the Inspectors of the County Prison and of the Prison Society. He has investigated the cases of many who had been convicted for very trifling offences, and has procured their discharge after making the facts known to the proper authorities. Some of them are as follows:

Five young men for stealing a ride on a freight car—they did not know they were violating the law. A small boy of 12 years for the larceny of 52 cents—he had been enticed away from his home in Massachusetts; his parents were written to; they were ignorant of the whereabouts of their child, and were glad to have him sent to them. One of a woman for breaking two panes of glass valued at 20 cents. Eighty-four persons were assisted in about one month, from the funds of the Society, upon their leaving the prison. Persons interested in this truly humanitarian work, and desirous of knowing more of the doings of the Prison Society, can obtain gratuitously copies of the *Journal of the Society*, just published, by calling on Henry M. Laing, Treasurer, No. 30 North Third Street, Philadelphia.

The Agent says:

Since September 1st, 1882, the date upon which I assumed the active duties of the office of Prison Agent, to the present time, October 14th, 1882, comprising one month and fourteen days, I have succeeded in procuring the release of four hundred and seventy-seven (477) persons, five of whom were prisoners who had served their time and were still detained for bail, which the courts discharged upon my becoming their security. The other 472 were committed for various offences all subject to trial in the courts, but were subsequently liberated through and by the consent of the proper authorities, and in many instances by the consent of the prosecutors.

In accomplishing the work I have been aided by the honorable Judges and Magistrates and their valuable council, which kind offices I gratefully acknowledge. The officers and keepers of the prison have

rendered me timely aid which I deeply appreciate. Those inspectors and visitors from the Prison Society with whom I have come in contact, have given of their good-will and friendly advice, by which my duties have been sensibly lightened.

In all cases I try to discriminate and do justice to all. In cases where tickets are to be procured for convicts who are to leave the city, it is my established rule to deliver the ticket only to the authorities of the boat or train by which they leave the city.

Mrs. I. P. Nicholson kindly and diligently labors in the female portion of the prison. I am sure her unselfish labor of love will yield a good harvest.

I have a pledge-book and find by getting those who resolve to reform to sign the pledge of total abstinence from all intoxicating drinks, it is a strong support to them in the new path they have chosen. I give to each who signs, a card with the pledge printed on one side, and a certificate signed by myself upon the reverse.

To show what has been done, I cite the case of a woman charged with larceny and embezzlement. She had taken into her house as a boarder a man whose intemperate habits had cost him his home and his friends. He was a carriage-smith, and she loaned him money with which to start business, besides working in the shop for him, and doing all that she possibly could to help him along. She did this for five years, during which time his mother and son often visited her, the latter having spent at her house a whole winter at a time. This state of affairs continued until the man took sick and died. During his illness she nursed him faithfully, and carefully attended to his burial. Then her troubles began. The son whom she had befriended for his father's sake, saw a few dollars in the effects of the deceased, and with a warrant brought this woman into the magistrate's office. As she had no friend or defence to call upon, she was committed to prison, where I found her. I procured for her an attorney, went her bail, and had the satisfaction of seeing her acquitted on trial without delay.

Another case was that of a young girl held for six weeks on a trifling charge, the witness against her failing to appear. At my request the District Attorney had the bill of indictment sent before the grand inquest and ignored. The girl was discharged and I got her a good place in the country. During her imprisonment, the family with whom she was engaged had sold out and left for parts unknown, taking with them all of her clothes. In this destitute condition she would have been badly off if it had not been for the charity which your agent is authorized to dispense. This girl is doing well.

I have in several instances found mothers committed here with

young children in their arms. These cases I make a specialty in giving them my hasty attention, and in most cases have had them speedily released.

A young man whose patriotism led him to Philadelphia, to participate in the Bicentennial, combining business with pleasure, supplied himself with a small stock of jewelry. He was suspected of being a pickpocket, was arrested, and after repeated hearings before the magistrates, I secured his discharge, as he was innocent, and assisted him to return to his home in New York.

Two boys commenced their adventures while but twelve and thirteen years of age, and selected as their first means of travel a vessel that sailed from their home in Baltimore to New York. After a trial in that city, finding it hard to live, they decided to return to their father's house. Undaunted by the distance they started to walk, but tempted to ride on a freight train, were detected, and arrested upon their arrival in Philadelphia, and were thrown into prison for trespass. I secured their discharge, procured them tickets, and sent them to their homes.

A young woman was charged with the larceny of a door-mat. As it was found upon her person she was committed to prison. Her demeanor and whole appearance were in her favor, and enlisted my sympathy. I heard her sorrowful story after assuring her I was her friend. She said she was the support of a mother and a helpless child. Her husband was sick in the almshouse, a victim of his own vices. Depending upon her needle, she found, as so many unfortunates before her have done, that it was inadequate to supply her with the barest necessities of life. At last, after many weary struggles, driven desperate by the hunger of those depending upon and dear to her, unable to procure bread even, any longer, she yielded to the temptation of a moment and seized a door mat lying upon a step, intending to sell it, and with this pittance procure food for her starving family. New in crime, she shrunk from selling it, and knew not what to do, and utterly, at first, refused to give her residence. To me she told all, and after hearing her story, I found it true in every particular. I visited the prosecutors and found them charitable Christian people, who, when learning the sad story of her destitution, withdrew the prosecution and I received her discharge. Upon her release I provided her with means to supply her immediate wants and to tide the family comfortably over Sunday. I summoned other friends to her relief, and among those who realized that the quality of mercy is not strained, but falleth as the gentle dew from heaven, was her prosecutor, now the foremost of her benefactors. She was one perhaps, more sinned against than sinning, inasmuch as she received inadequate pay for her labor.

It is the sorrowful experience of your Agent, to state that the great majority of prisoners here are from the younger class of society, and that idleness is father to most of the crimes committed. Ignorance and superstition are largely found to exist among prisoners. Intemperance in intoxicating drinks is among the first of the idler's vices, and once under its demon grasp, you have candidates for all other vices, as well as fit students for all crimes, and one idle man, woman or child will seek to entice others to join them, as idlers do not like to be alone.

On visiting a magistrate's office, I met a lawyer and his client, a young woman, to whom I was introduced as the prosecutor of her husband for desertion. Efforts were put forth to bring about reconciliation. I was enlisted as the medium; by an agreement there made to meet the parties at the prison, where the husband was incarcerated and use my endeavors to accomplish the desire of their mutual friends. I am pleased to say that my efforts were crowned with success. A second case, where I have witnessed the husband and wife leave prison re-united I trust for life.

I am often called on by prisoners to procure for them their valuables that are taken from them at the time of their arrest, also other valuables and papers that they have left at different places where they frequent or call their homes. In one case I secured the furniture for a prisoner, that was being unjustly claimed by the landlord, where it was left during the time of imprisonment. In some cases I have secured money and other valuable things belonging to the prisoner, which he will receive when discharged, but which he might otherwise lose. I procured from a tavern keeper the pension papers that belonged a prisoner who will have quite a sum of money coming to him when his time is out. If he had to go to the tavern keeper for his papers, it is possible that he might have bad company to go with him to draw his money. As it is, he will be free to choose for himself, to go alone or take who he pleases, but he will be kindly advised.

Through the kindness of Mr. E. M. Bruce, we have an Organ in the Convict Block, for Sunday services, and I hope to raise money enough to purchase this organ and also one for the female block. The tendency will be for good. I must urge places for the deserving released prisoners; it is more and more apparent; there are so many who go out with no place of abode; and no home to send them to. I have had prisoners to cry and say "Who will take me, just out of prison; why I shall only have to come back." And it is true they do often after a short struggle to do right, turn to the wrong and come back with the old story, "I had no home or place to go to, and no one would trust me to stop, except among my kind."

It is a sorrowful fact that the literature of the day is not of such a character as is calculated to elevate the masses. The chief aim of the story writer, seems to be to pander to the passions rather than to the reason of the reader. I think the story writers for the cheap novel and the flashy weekly papers, do more to corrupt the morals than all the good that is gained by the employment given in the publication and sale of them. The cuts that illustrate their pages and embellish the bills that are posted up to advertise the "Story" are of themselves dangerous and ought to be prohibited. Strange to say that many of these story papers, find their way to the Prison cell and are read by the prisoners. If ever there was a time when the mind of a person should have good and substantial food it is when it has the time and opportunity to thoroughly digest it. The prisoner who has been convicted of crime and has time for reflection and reformation, should have proper reading, teaching true repentance, and inspiring honest purposes for the future. If we give good and substantial truths, they will be read and the appreciation will grow and live after the prisoner has served out his sentence, and it may influence his future life for that which is good.

A young man had served nine months for having in his possession a pistol. He was a stranger in this city, and was working in a factory. He saw other young men carry pistols, so thought he would buy one, and very soon after a policeman arrested him and found it on him. He was sent to court and convicted, and as he had no one to say a good word for him, was sentenced to prison. Before he went out, he sent for me and told me he had no place to go, as the lady he boarded with would not let him come to her house to board, having been in prison. I visited her. She said he was always a good young man, but she could not take him after being in prison, as her boarders would not like it. I told her he was not sent there for crime that would need to reflect on him, as he had learned not to carry unlawful weapons; but she said having been in prison was too great an objection. I had to get him other quarters. Another reason why there should be a home for such unfortunates.

A young German couple, about four months married, were arrested and tried in the court on the charge of larceny. The grounds for their arrest was the finding in their possession some live chickens, claimed by a party who said they were stolen from his place. The young wife said in evidence, she had bought them from a man who called in the evening, and represented that he was a farmer and wanted to go home and he was anxious to sell the remaining stock of chickens, a bargain, so she was induced to buy them, not thinking they were stolen. But they were found in their possession and the arrest followed. The

officers taking it for granted they were thieves, searched the house to see if any other stolen goods or valuables could be found. In their search they found a hammer belonging to the employer of the man. They also found some candles. The trial came and both were cleared so far as the chickens were concerned, but the hammer was recognized as the property of his employer; the candles were thought to be stolen, but there was no evidence to justify such a charge. The man admitted he had brought the hammer and other things home, but only to use them and then to return them. But his plea did not avail, he was convicted and sentenced to prison. His young wife being left destitute, sought to get back the box of candles taken away by the officers that she might sell them. She came to the court to inquire if she could get them; it was here I met her and she told me her story. On questioning her I found she had in her possession some letters of her husband's, from former employers, and some evidence how he became in possession of the candles, as he had taken them in lieu of a debt. I also learned his employer thought he did not intend to steal the hammer. I procured the letters, and sent her to this last employer to ask him for a letter to the Judge, which she brought the next morning, and on learning these facts, his Honor at once reconsidered the sentence and discharged the prisoner, who joined his wife.

That our interest is not confined to the County of Philadelphia the following report from Edwin Craft, of the Acting Committee, will be appropriate :

Gentlemen :

During the past year it has been my privilege in connection with a feeling of duty, to visit many of the County Prisons and a few of the Alms Houses in the central and eastern parts of this State. I have visited the following prisons, all once and some of them twice, three as often as four times during the past year: Bucks Co. Prison, Doylestown; Montgomery Co., Norristown, which I class as No. 1. Lancaster Co., Lancaster, which may be called in No. 2 condition; Berks Co., Reading; York Co., York; Cumberland Co., Carlisle, 3rd or lowest condition; Adams Co., Gettysburg; Franklin Co., Chambersburg, No. 2; Dauphin Co., Harrisburg; Lebanon Co., Lebanon; Juniata Co., Mifflintown; Mifflin Co., Lewisburg, No. 3 condition; Huntingdon Co., Huntingdon, No. 2; Clearfield Co., Clearfield; Centre Co., Bellefonte; Clinton Co., Lock Haven; Lycoming Co., Williamsport; Montour Co., Danville; Schuylkill Co., No. 2, Pottsville, in 1st class; Lehigh Co., Allentown, also No. 1; Northampton Co., Easton, No. 1 and Monroe Co., Stroudsburg, No. 2. Those not classified are somewhat in doubt, in my judgment, as to the class in which to place them.

I found a few of them in good condition, the officers being fully alive to the importance of the trust committed to them, but many of them are in what I would call a poor condition. Buildings poor, not adapted to the purpose, with too little care as regards cleanliness, sanitary regulations and also in regard to the separation of the male and female prisoners, while a few of them lack every element of a prison, being neither places of safe keeping or places of reformation. In most of them the promiscuous mingling of prisoners of all ages and degrees of crime, is turning them from what they should be, reformatories, to schools of vice. In some, I found marked partiality in the treatment of the prisoners, those able to pay something, being allowed privileges and favors entirely inconsistent with prison discipline, although serving out terms as convicts, while in the same building others convicted of much less crimes, were subjected to hardships at variance with any regulations looking towards reformation.

One feature of the management of county prisons I desire to call your attention to, and it is the political policy connected with them. Most of them are under the care of the sheriff or his deputy, and are considered as one of the perquisites of the sheriff's office, and he too often seems to regard his success therein in proportion to the amount he can make out of it. Again, the sheriff when he comes into office, as a rule, removes the old officers, particularly if they are of the different political party, and fills their places with some of his own dependents or friends, their fitness for the position being in no way considered, only the desire to reward a friend or political worker.

This I consider to be one of the worst evils connected with the management of our county prisons, and calling most loudly for reform; it in a great measure defeats all efforts to improve them, and undoes all good effects of encouragement or advice to those whose immediate care the prisoners are, for no matter how much they profit by them they are removed just as they are beginning to learn the a, b, c of the lesson of prison discipline and care, and it also removes the incentive from most of them to so profit, knowing that they cannot hope for a continuation in office only so long as their party or friend is in power.

The remedy for this I believe to be to have all county prisons placed under the care of a non-partisan board of inspectors, who shall be selected only in reference to their ability and integrity, and assurance given to the wardens and under officers that their terms of office depend entirely on their ability and zeal in the discharge of their respective duties.

The good results of this plan may be seen in the Northampton County Prison at Easton, and in several others where this system is in force, and where wardens and officers have filled their respective

positions for several years, and under whose care and management the prisons are a credit both to them and the counties.

I have refrained from individual criticism, as in many cases it would perhaps be injustice to the officers, they doing the best they know or can do as they are situated; and also because in most instances I have done so to the parties in charge, to the sheriff when I could, and in a few cases to the county commissioners. Whenever opportunity has offered I have spent some time in conversation with and reading to the prisoners, giving them, I trust, good advice and words of encouragement, which I find they most gladly receive.

THE LAW, AND THEN THE PUNISHMENT.

Not unfrequently in periodicals, pamphlets and tracts, the various phases of prison discipline, are treated by writers who rejoice that they have discovered some new ideas, as they assume, on the subjects they discuss.

In likeways, others, who regard ideas as wholly unnecessary in any view of convict punishment, rejoice in the belief that it is possible to mingle the oil of philanthropy with the waste waters of crime-life.

Between these termini, the scope, full comprehension and real issues of convict punishment are wholly ignored.

Before it is competent to consider these questions, certain facts must be established. The facts are ascertainable. It demands labor and study to collect them, and much experience properly to arrange them for practical or philosophic use. Until, however, they are collected and digested, the discussion of prison discipline, in its relation to law and punishment, is wanting in essential value.

Society must protect itself. Its laws have that aim. The violators of that law must be identified. The guilty must be separated from the innocent. The penalty must be inflicted. Thus the law and its administration should co-operate. For this, both are enacted.

It is of first necessity then to enquire why punitive laws are adopted—and for what reasons. As acts of individuals constitute the violations of law, and as this legislation is to prevent these acts, we are forced to consider what is the social condition which demands protection from these acts. These acts are called crimes. The crimes of a community go far to indicate the social condition. In a society where no one can write, forgery is not probable. Where it is possible to prey on the credulity of a people, thoughtful caution is not their marked characteristic. Where the financial excitements weaken the trust and confidence in the word, the veracity, the honesty of those engaged in

money getting, frauds by the educated, shrewd, and dexterous are common.

A clearer view of this suggestion can be had by reference to the condition of Ireland and Russia. The violations of law in Ireland are in a great degree incident to the political agitation in that country, or in part of it. What are called "outrages" seem to be occasioned, or instigated by the pressure on a large number of the population of class antagonisms, great injustice and hardships, and even more than this is done by the most protected class on the unprotected people. Society is divided into those who have power, and those on whom it is exercised. Out of this state of things comes resistance, revolt and violations of law. So that the incentive to crime is in the local condition—crime is created by it. The punishment for these offences ought to be moderated, from the fact that the local forces are operating to develop the crimes, social power is invoked to deal with. The laws enacted to protect this society are made necessary—not by the inherent viciousness of those who are offenders, but by the consequences which are indigenous to this social state.

So too in Russia, the crimes which attract our attention are the direct result of the political, or social, or communist agitations which grow up out of this very excitement. Injustice, as many believe, is done to a large population by the exactions of the social power. To obtain redress, or to destroy the power which inflicts the injustice, becomes the incentive to acts, which the social power, the state, regards as crimes. Hence in both examples, the very acts which the laws are enacted to prevent and punish, the crimes as they are called, come out of the condition of the society that needs such laws for repression, prevention, and penalty. The "outrages" against the Jews, in parts of Europe, are further evidence in support of these suggestions.

Laws for protection then, are of necessity made for such current conditions. Society, in so far as those conditions pertain to its character, makes crime. It demands laws to protect itself against its own influences. The first line of thought ought to be directed to the investigation of the influence in the social surroundings which instigate violations of the laws of such society. It is not reasonable to believe that crimes are committed, without resisting the existence of influences, called either predispositions, or temptations. By either designation, they do not exist spontaneously. There is no predisposition or temptation to commit forgery, where writing is unknown. Stealing is not found where property is in the unchoate form of aboriginal possession. Murder and burglary belong to entirely distinct communal organizations. Murder, being the outcome of the passions, belongs to human association. Burglary is the form of larceny aggra-

vated by the manner of its commission. We are, then, by the force of close reasoning led first to examine the social condition to determine what are the exciting influences that produce crime. This is absolutely necessary if we are to discuss the penalty and the punishment for these violations of the law.

If, for example, in a society, a municipality, the primary regulations enacted by this government for the safety and comfort and protection of the people are violated with impunity, as they are in the city of Philadelphia, the direct effect is to teach violators of social security that they are free from responsibility. The city ordains certain rules for the control of the citizens, and adds a penalty for the violation of these rules. It would not be an exaggeration to say that in Philadelphia not one in fifty of these rules are enforced. This impunity and immunity lead to the belief that laws are to be violated, and that the governing power is either too ignorant, too indolent, or too weak to enforce them. What can be expected of a population thus daily taught how useless laws are if they are not enforced? It teaches also that crimes may be committed with the greater chance of escape than detection. Then, if in a such society, laws are made necessary by the influence of such teaching or training, and either or both by example, how direct is the responsibility for the incentive to higher grades of crime in this community. It in a large degree creates the motives or inducements to commit crime, and then demands laws to punish it.

It may not be easy to trace these influences. One method is to investigate each case, as the individual convicted presents an example. Take the convict, his character, training, surroundings, the crime committed, and seek to discover the motive for it. Here is a starting point; collect facts from all like cases sent from such a community. These facts will develop at least who commit crimes, what crimes they commit, and the special or general motives.

Such facts carefully collected will prove of high value in determining the necessity for laws, and the proper punishment for the guilty. It does seem such information ought to be the basis of penal legislation. Else there may be acts made crimes, in the perpetration of which the least censurable is the offender, and the most culpable is the State that ignores the primary knowledge to enable it to make penal laws.

It is very often asserted by the superficial talker that the great preventive of crime is what he calls "Education." It is also a favorite theory with this class of teachers, that the State should educate the young, and thus prevent them from becoming criminals. It is thought to be a specific for crime prevention that schools should be open for all the young of both sexes in a community. On this reasoning nearly eight millions of dollars yearly are spent in Pennsylvania for schools.

If one is educated, it is said, then the incentives or inducements or influences to commit crime are neutralized by this corrective, or prevention. Predicated of these opinions, it is asserted that illiteracy is the reason why the illiterate commit crime.

This view is thus formulated—the illiterate and not the educated commit crime. The thoughtful observer cannot agree to this proposition. The facts do not sustain it. It may be said that 75 per cent. of convicted persons have had school instruction. But it can further be said that what is called education is in itself either an inducement or an agency in the commission of offences. One who has been taught the acquirements of knowledge has thus larger means at his command for violating the laws, for, added to physical force, is the knowledge obtained by school teachings. The moral teachings not being involved in school teachings, the individual has two forces united, and both “educated.” He is, therefore, able to attack society in two directions. Association of such persons generates the facility for violation of social security.

If the list of crimes committed are examined carefully, and the characters of the convicts critically investigated, it will be seen how far what is called education, is involved.

Without considering the basis for the voiceful claim, that in the New England States education is more universal and the population better educated than in many other States, it is undoubtedly a fact, explain it as we may, that the worst crimes are not unfrequent in these States. Crimes, too, of violence, passion, brutality and education. Frauds for which no mean mental acquirements are necessary to their commission; crimes in which individual character enters into the method of their perpetration. In the range of these violations of laws, we find that the prevention which education is said to interpose is not apparent. On the contrary, in many cases, it is this education which not only suggests the crime, but is a potent factor in its commission. And why not? If means to an end are requisite, how many advantages lie in the possession of that intelligence which it is said mental instruction creates; especially in the perpetration of frauds in those financial fiduciary trusts which have become strikingly frequent in these days.

We are not unfamiliar with the cases of salesmen employed in large retail stores, who, with ability to sell goods, not easily acquired, have an “education” far above the ordinary rudimental standard. Yet in many cases crimes are committed by these employees which combine skill, shrewdness, intelligence, and a prolonged deception and fraud. Whatever of moral sense is improved by this “education;” however much this education is said to be a preventive of crime, these

instances are numerous enough to establish the doubt as to the effect of school instruction in the prevention of crime. True it is, that we are now only dealing with exceptional cases. But this class of exceptions is too well developed not to justify the belief that education fails to prevent crime.

The State must then of necessity so frame its penal laws to meet this growing social phenomena. To do this, facts must be collected on which to base conclusions. Statistics are of the first necessity therefore, and some plan should be adopted by which they can be prepared from all the large penal institutions of the States.

The Eastern State Penitentiary at Philadelphia has set an example in this respect that is worthy of the critical examination of students. It is remarkable that no other penitentiary has been induced to follow the forms by which the facts are set forth by this institution.

As crimes change under the force of social influences, so too penal legislation should meet these changes and be adapted to these new developments. As an instance pertinent to this view, it is found that bribery of a legislator is charged by public rumor as a possible proceeding. This ought to be a clearly and concisely defined offence, and a suitable punishment enacted, yet it happens that legislators who are attorneys-at-law can be "retained" as counsel for parties who ask legislation, and under the interpretation which is given to such relations, it is not bribery. If a corporation should give a layman legislator a sum of money to aid it in securing the passage of laws for its benefit, the outcry is violent by the disciples of honest government. If this same corporation gives a legal fee to an attorney-at-law, who is also a legislator, let him be ever so vociferous an advocate of honest government, silence covers this act as professionally honest. In what lies the difference?

Let another instance be considered. A enters a dwelling-house in the night time and steals property, money and other valuables, and escapes without attracting attention. This the law defines to be burglary. B enters the bank, or office of an institution, in which he is clerk or cashier, in the evening, and by false entries on the books or in other ways is enabled to steal valuable property of the institution or its customers, this the law calls breach of trust, embezzlement or forgery. The motive for or inducement to the first crime, and those for the second offences are divided by a definition, but only thus, for each is identical. Education is necessary for one, and is the instrument used. Yet the law makes no clear and positive distinction either as to the motives of the actors or the means adopted for the commission of these crimes, nor is the punishment justly discriminately applied.

These general reflections are intended to attract attention to the necessity of so framing the penal laws as, first clearly and concisely to declare what are offences, and then so to adapt the statutory punishments as may be suited to each offender.

Subdivisions of crimes into degrees may be possibly the most effective mode to this end.

But it is undoubtedly necessary that the elements, the motives for the crime and the characteristics of each offender should be ascertained as far as possible, after conviction, in order that the penalty may be wisely applied.

No one can doubt that the administration of the punishment for crime must be directed to the individual convicted of it; else sentences for periods of time would be all that the law could contemplate. So blind a purpose cannot be comprehended. The philosophy of punishment is so to incarcerate the convict by inflicting the penalty for the crime, that punishment can be applied. This punishment must therefore be addressed to each individual as the investigation of his individuality or characteristics suggest as appropriate.

This is now the advance in prison discipline which is needed. It must attract the attention of those engaged in the study of the penal laws, and the adequate punishment of offenders.

As the motives for crime commission and the elements in the acts which constitute statutory crimes, and the individual characters of the convicts are each involved in the consideration of the proper punishment and the best method of administering it, it is no longer to be doubted that these questions are daily becoming of great interest.

Congregating convicts during punishment while in prison, and using them as machines to work for the profit of the buyer of their toil, has long ago been ranked with the most benighted methods for the punishment of its convicts, society now tolerates, on the blind and sordid reason, that they pay.

THE PRISON ON THE CONGREGATE-CONTRACT SYSTEM.

It is not to be wondered at, that just now some agitation exists in regard to the treatment of convicts incarcerated in those prisons in various parts of the United States, managed on the congregate-contract system.

We have in this journal, from its first issue, a half century ago, frankly disapproved of that plan of convict punishment. The ob-

jections have been for years past presented in our pages. But now a new phase of objection is prominently brought to the public attention, the treatment of convicts in New York, Massachusetts, and some of the Southern States, is charged to be cruel and inhuman. The reason for this is inherent in the system itself. To attempt then, to shield the system against the criticism of cruelty, by condemning the officers of these prisons, is in most part unjust. It is the system that demands condemnation. When a convict comes to one of these institutions under sentence to incarceration, he is at once handed over to the control and supervision of a contractor; who having bought of the State the labor of this convict while he is in prison, he, the contractor, becomes the chief agent charged with the treatment of the convict while incarcerated. Of course the contractor seeks by all means, to get out of the convict, labor to pay the price of the purchase, and the profit he hopes to make out of the special industry.

The rate per diem the contractor pays, and value of the per diem labor of the convict for the contractor, are the two principal objects to which the management of the prison is directed. It is hardly to be questioned that the wishes and interests of the contractor will be ignored by the State agents under such a prison system. Therefore the interests of the contractor are paramount, and the convict is hardly considered. If the convict needs care, for either his physical or moral reform, or health, how can the State agents intervene between the complaint of the prisoner for rest and health, and the contractor's assertion that the convict's labor is his and he has paid for it, and has therefore, a lien on the daily toil of the prisoner? At once, necessarily, an issue is made between these parties. The State having sold the labor, and gains by it in cash, proclaims that the prison is self-supporting, and boasts that the system is best, because it costs nothing to the State, finds its duty to be to side with the contractor. Then the convict being powerless, is subjected to *force*, the only and sole basis of the administration of the congregate system. We think the facts brought to light by many investigations into the management of congregate-contract prisons have proved this statement. Only last July, the occurrences at the Concord prison, in Massachusetts, and as I write, the story from Sing-Sing, plainly show that force is the *primary* and *final* recourse of the administration of these prisons.

It is not doubted, it ought ever to be borne in mind, that the statements of convicts are to be taken with great caution. The former life, the evil dispositions, the temptations to tell untruths, the trained resistance to control, the hope of personal advantage, the contortions which are given in any recital of the incidents of prison life by many convicts, so color their testimony as to render them unreliable. We

know this to be so, yet very few understand how it can be possible that a man, as a convict, is less worthy of credit than if he had his personal liberty. The experience of the most credulous who have the least familiarity with prisons, know that convict testimony has but little value.

We are not now discussing the question of the reliability of the statements made by the prisoners against, or in favor of, the administration of any prison. Our purpose is solely to invite attention to the congregate-contract system of convict punishment. This system is in itself capable of originating all the evils charged against its administration, in nearly, if not in all, cases in which they have been proved.

Between the State and the convict; between the real power invested by the theory of the law and the punishment it prescribes for those convicted of crimes, and those subjected to this punishment, there is an intermediate power which holds the chief control of the convict—the contractor. This power has no other motive for its action than self-interest, the motive for making out of the labor of the convict—first the cost paid for his toil, and thereby to conciliate and influence the State authorities, and next to make profit out of the daily productions of the convict's labor.

It will be seen that on such a management the prisoner is next to friendless, and equally powerless for a redress of his personal grievances which come out of such a government. The contractor looks with disfavor on all complaints of the toiler. While he works, he is making money for the State and profit for his real owner. If the prisoner is sick, overworked, depressed, the prey to the most distressing influences arising out of his associations, enervated from his suddenly altered physical and social condition, morbid from the despair which his convict relations create, sad over the loss of family and friends, yet work he must, however, at times that is hardly possible for him. If he can stand up, march lock-step with other prisoners to and from his cell or meals, the contractor claims his toil. If he complains, he is regarded as shirking his task, and some influence must be used to force him to its performance. The State authority agrees with the contractor; why should it not? The State gets the first share of the labor of this person. The medical staff of the prison very often fears to interfere, because this staff seeks the support of the influences of both the State and the Contractor.

Should an opportunity occur for the convict to complain to unofficial ears, the prison record is the ultimate resultant, decisive, evidence against the complainant.

This is only possible under this contract-system as now proclaimed to be the best *because it pays*.

There never should be permitted, in the treatment of convicts, such an intermediate power as the convict's owner, between the authority that incarcerates the convict, and the man—never!

Convict tho' he be, he is nevertheless only to be subjected to a punishment for his offence, and that inflicted by a responsible management, responsible to the highest dictates of justice. To inflict on the convict an additional punishment, the forced toil by an owner of the flesh and blood and body and muscle of the man, the profit-making contractor of the convict's daily labor, is simply unjustifiable.

No wonder revolts, cruelties, revenge, crime-classes are the product of such profit-making prisons.

It would be interesting to read in any yearly official report from these congregate prisons, a dear description of the moral agencies that are systematically adopted for the benefit of the convicts. It would be equally interesting to know how they are applied. If what is called a Sunday church service in a chapel, where all the convicts are assembled, constitutes this moral agency, then we at least think it is, under such circumstances, a greater misfortune than a benefit.

The congregate-contract system of prison management demands investigation—because by it, and by it only, is possible the wrongs and evils which are now exciting some attention. If those aggressive advocates of the "best system of prison management, best, because it pays," will slate a final balance sheet of the *cost* and the *consequences* of their favorite system, the dollars and cents exhibit will be no better than the moral.

FROM SCANDINAVIA AND FINLAND.

TRANSLATED BY LAWRENCE GRONLUND.

"*Nordisk Tidsskrift for Fængselsvæsen* (*Scandinavian Prison Journal*) for 1882 comes to us laden, like its predecessor, with some precious thoughts, many interesting facts and several noteworthy suggestions, especially to Pennsylvanians, for it is the "Pennsylvania system" which now is adopted in the Scandinavian penitentiaries in general, though by no means thoroughly carried out in all of them. Wherever it is not, however, it is nearly always referred to with sentiments of regret. The Scandinavian prison that perhaps comes nearest to the ideal of the "separate system"

is the penitentiary of Christiana, Norway, which has Mr. R. Peterson for its "director." An essay by him is the principal feature of the Journal under consideration, and shows that its author would not be a bad model for prison authority anywhere. We translate some extracts:

"Let me give a short description of the manner of proceeding with us. On the arrival of a prisoner, he is bathed, shaved, his hair cut and then he is dressed in the prison garb. He is thereupon taken to my office, where I interrogate him in regard to his offence and his whole previous life, his relatives, his childhood, his growing up into manhood and whatever plans he may have for the future. His answers are taken down in a journal and, with the formal accusation of his crime, they form the basis for my acquaintance with him during his imprisonment. In the same journal I afterwards note down anything that can contribute to a correct judgment of the man, marks for industry and conduct, extracts of the letters which he writes or receives, notices of remarkable progress, or vicious behavior, if he has shown either, how he is punished, and how in extraordinary cases he should be treated. In this way I get as minute a picture as possible of him and his inmost nature. Again, after his discharge I write down in the same journal all that I can learn of him. When one year at least is gone, I write to the chief of police, or the pastor of the place where he belongs, and inquire after him. The replies to these inquiries are taken down. Every time any of the prison officers meet him, the fact and attending circumstances are communicated to me and written down. I take it to be my duty to take an interest in him after he is liberated, as well as to give an account of our treatment of him while in prison. I always like to say to convicts on their discharge, that I shall be more solicitous for them in the future, than while under my care, since now they are going to practice the lesson in the wide world which they learned within the prison walls. This consciousness that our interest follows

them is, I know, for many prisoners, a strong support. Nearly every discharged prisoner, in consequence, that goes away from this city writes to me, or at all events to our moral instructor, as soon as he is settled at home."

Mr. Peterson has a notion that mere exhortation has very little effect on a prisoner's state of mind; he rather believes in the efficacy of treating the prisoner at all times like an ordinary human being. He does not stand on the "dignity of virtue," nor pose before the convict as "a man of unimpaired integrity."

"We treat the convict not as a vile, worthless person, but as a man who may if he will, win back the respect he has lost. We therefore speak to him naturally, that is, as we address others, and friendly, but yet always seriously and calmly. We try to win his confidence. We give him to understand that we are indeed his best friends. To that end among other things, I have made it a rule that the keepers shall greet the prisoners under their charge with a 'good morning' and a 'good night,' and to do it in something more than a perfunctory manner."

Mr. Peterson thinks it very human, indeed, to fall into crime when a sufficiently strong motive presents itself, and after all, he may be right.

The author regrets exceedingly that the law does not furnish any premium on industry in prison, and goes on:

"In default of a system of compensation for over-work, I have adopted the plan to figure out and mark down in every convict's presence the profit which the prison makes by his labor. I have found that it acts as a surrogate. Many say with a good deal of pride, 'I now earn so and so much,' though they do not get so much as a smell of these earnings of theirs."

Mr. Peterson is rather in favor of the regulations of the prison at Nuremberg, Germany, which excludes from prisons on the "solitary" plan, 1st, "all vagabonds and drunkards whose physical and mental stamina have been undermined

by their mode of life; 2d, all who have organic or chronic diseases; 3d, all cripples, blind or deaf persons or even such as are merely near-sighted or hard of hearing; 4th, epileptics and all affected by insanity.* Otherwise he admits the great superiority of the "Pennsylvania system," to the former "congregate" system, and especially cannot sufficiently praise that feature of it, that the convict is so entirely cut off from evil influences. He tells the following *naïve* story to illustrate that the people generally also appreciate it:

"One of the inmates of our prison had a brother, a man of good character, who wrote to him among other things, as follows: 'I see from your letters, that you feel quite content where you are. I am not content in my position, and the reason is, that I am surrounded with a lot of rascals and sneaks, while you are rid of such company.'"

The Keepers of the "Eastern Penitentiary" might furnish many interesting experiences, similar to this: "A convict, who was under my charge for grand larceny and forgery, and who after his discharge has behaved well, had a lot of photographs sent to him. After that he used to play keeping school with them in his cell. He ranged his pictures on his loom, sat down before them with a yardstick in his hand and catechised them, the one after the other, he himself first questioning and then answering, I first thought him crazy; but I soon discovered that this was merely his way to pass

*The following remarks may be worth consideration in this connection:—"I may remark, that auditory hallucinations are apt to occur in prisoners who are subjected to long periods of solitary confinement in their cells; they have no mental resources to fall back upon and their brooding thoughts, not being distracted by the conversation of others, nor having their usual outlet in their own conversation, become audible by themselves as actual voices."—Henry Mandsley, *Fortnightly Rev.*, vol. xxiv.

(*Note by the Editorial Board*: Let it be remembered that the "Pennsylvania system" is rather the *separation of prisoners* than their solitary incarceration. For the reason that the Warden visits the prisoners frequently and whenever sent for; that the Moral Instructor sees them as often as possible; the school teacher visits all who need instruction; the keepers see them three times a day, and those who give them work and superintend it, necessarily confer with them daily; the Visiting Committee of the "*Philadelphia Society for Alleviating the Miseries of Public Prisons*," composed of nearly fifty persons, visit them on an average twice a month, and in addition to this, they may at certain intervals see relatives and friends.)

the time. He made his pictures give wrong answers, then he corrected their mistakes and struck about in the air and on the loom with his stick; others gave right answers and then he praised them. It was very interesting to us to witness this self-entertainment through the spy-hole."

The report concludes with noble words, exceptionably noble in one who has had intimately to do with criminals for a quarter of a century.

"I have had between four and five thousand prisoners under my charge—*lived* among that number of convicts—during my twenty-four years incumbency of my present position. Sometimes I turn the leaves of my memorandum book, that I spoke of, to refresh my memory about this or that person. A most remarkable file of men there passing in review before my vision, men in whose innermost thoughts and most hidden passions I have been a participant! Many of them have disappointed me, have annoyed me, have pained me, but I feel happy in being able truthfully to say that many, on the other hand, have caused me pleasure and joy. It is not always baseness that leads a man to prison, often misfortune does it. This one circumstance, alone, that it is the lowest classes that contribute the bulk of the inmates of our prisons, should lead us to serious reflections. Who dares affirm that their natures are viler than the natures of those fortunate individuals that make up the higher strata of society? It is indeed sad to picture to us the kind of childhood which has been the lot of the vast majority of our convicts! Melancholy to think of the many whose parents were criminals and drunkards! Of the other large number that were compelled in their tender years—even as young as eight years of age—to earn their own miserable living as cowboys and shepherds, exposed to all the inclemencies of our northern climate! Of others who were born out of wedlock or otherwise never have experienced the joys of that innocent age which we fortunate ones look back upon as the most blessed years of our life! *Should we not, indeed,*

feel admiration for the poor for not contributing a larger quota to the criminal classes than they do? I know it is vain to beat one's brains about these matters, but would it sometimes not be well for those who have charge of these miserable ones, not to judge them too harshly? However, I wish also, emphatically to say that their sympathy for the prisoners should be of such a character, and manifested in such a way, that it should *repel* them from prison and not *attract* them to it."

Very many "philanthropists" might ponder these words with profit. Altogether too often their sympathies become too seared by contact with crime.

Mr. Seip is the principal teacher of the same institution, and a series of extracts, published in the Journal, from his reports during the last three years, shows he is animated by the same spirit as the directors. The following thoughts are well worthy of attention:

"Verily, in prisons on the solitary plan, where the great danger is that the normal human constitution may be impaired, it is more than in other prisons requisite for the moral instructor to possess healthy human spirits, I mean, to take first a Christian, but in addition, a cheerful view of life. True, I am so very grateful, that this system, which has so appropriately been called 'the individual treatment system' enables me to meet each convict alone, and treat each one in accordance with his peculiarities. But this system has, also, its shadowy side. Under it, it is impossible to help those whose minds are becoming diseased by having them work in company with a couple of well-meaning, sound spirited fellow-men—so frequently the best and only rational treatment. The whole arrangement under this system seems, in fact, to me so purely abstract and theoretic, and I never could make myself believe that an ironclad uniformity and systematizing could be good for any human being. Undoubtedly, I see the difficulties of bringing variety into the system, but that is no reason why we should overlook its defects."

A recent report by the Procurator of Finland, to the Russian Imperial Senate, published in the Journal tells us, that in that Russian province, (which the Swedes look upon with the same longing eyes as the Italians on their 'Italia irredenta,') from 1861—1880, altogether 496 persons, (379 men and 117 women,) were sentenced to death, but that *all* had their sentences commuted by the 'Autocrat of all Russias;' and 243 of these (about one-half,) 199 men and 44 women, were, instead of suffering on the gallows, sent to Siberia, to suffer indefinitely in the mines and the factories.

The following is an interesting ratio of death sentences to population :

1810-25,	one sentence of death to 73,000 inhabitants.
'26-40	" " 46,000 "
'41-50	" " 49,000 "
'51-60	" " 48,000 "
'61-70	" " 50,000 "
'71-80	" " 160,000 "

The apparently remarkable decrease during the last decennium being due to the penalty of death being abolished (by Ukas of Nov. 26, 1866,) for infanticide and manslaughter.

The report concludes as follows :

"Our experience compels us to the conclusion, that the penalty of death is no longer requisite to our security and to the recommendation that the same be entirely abolished in our jurisprudence, the more so, as the punishment of deportation to Siberia—the surrogate of the death penalty—long since has lost its terrors, both in the minds of people and to the criminal classes, without perceptibly increasing the number of serious crimes."

From the report of the Prison Society, of Copenhagen, for

1881, it appears that the number of youthful criminals has of late increased fearfully in that city. Here are the figures:

Age.	1870.	1880.
10	2	6
11	2	7
12	6	16
13	6	16
14	17	21
15	16	41
16	13	54
17	51	82
18	54	58
19	58	129
20	57	91
21	51	98
22	58	110
23	43	88
24	54	101
25	50	82
	583	1000

That is to say, during the said period of ten years, criminals aged from 10-15 years increased from 36 to 66 or 100 per cent.

“ 15-18 “ “ 80 to 177 or 122 “

“ 18-21 “ “ 420 to 757 or 80 “

while the population of the capital only increased 29.8 per cent. during the same period, thus illustrating and enforcing the necessity for the State to care for neglected children, which the same Journal has for years persistently insisted upon.

Another part of the Journal calls attention to the considerable increase of aggravated assaults on the person on the streets and highways of the same city. Thus in 1871, there were convicted of that offence 45 persons, but in 1880

those convictions arose to 133, that is, increased *three-fold*, while the population had only risen from 185,000 to 237,000.

Again, while the arrests for disorders on the public highways in 1871 amounted to 506, they in 1880 arose to 2367, that is to say, in 1871 they amounted to $2\frac{1}{2}$ per mille., and in 1880 to $7\frac{1}{2}$ per mille., and the Journal points out, that the vast majority of both these kinds of offences are committed by boys and young persons.

The following is a reminder that government and working people in Denmark stand facing the same puzzling problem which presents itself elsewhere:

“A petition from 785 weavers of Copenhagen was on January 12th, 1882, presented to the Finance Committee of the Danish Folkething, submitting that the convicts in the penitentiaries are in constantly increasing numbers employed in the weaving industry, from which a competition has resulted that proves disastrous both to employers and employees; that the prices paid for convict labor are exceedingly low, and, consequently, the products of such labor can be sold so cheap, that free labor cannot possibly compete with it. Thus the weavers, carrying on one of the principal industries of the kingdom, are brought down so low that they now can hardly support themselves and families, and the outlook is still sadder. The petitioners therefore, pray the Committee to see to it, that the products of convict labor be not sold cheaper than those of free labor.

“The Committee laid the petition on the table with the remark that it did not see ‘that anything could be done.’”

The working people might retort “that rulers who do not see that anything can be done” *have no business to be rulers at all*. Let them mark and sell such articles as *Prison made*.

THE FRENCH PRISON SOCIETY.

The Bulletin of the French Prison Society, for May, 1882, No. 5 (120 pages), prints a report of the discussion at its monthly meeting, on the draught of a law for the protection of children, prepared by the government, the scheme suggested by the Senate Commission on the subject, due mainly to Dr. Th. Roussel, a member of the Senate and well remembered for his intelligent interest in our own benevolent and reformatory institutions during his visit here. It also gives account of the plan of an international prison commission, the report of the session of the Superior Prison Council, a summary of the debate on recommitments, at the Prison Congress at Stockholm, and an account of several French reformatory and preventive institutions. The French project of a law for the protection of children, provides local, departmental, and national committees, composed of officials representing the courts, the administration, the local and other principal charities, and all appointed for four years, with large power, to take charge of children abandoned by their parents, or worse still, trained to begging and other evil habits. Senators, judges, professors, and men of various employments in reformatory work, joined in careful discussion of the subject, so as to obtain the best practicable scheme for the proposed law. In its forty-eighth section it provides for almost every possible case in which the law ought to intervene to care for children in need of protection, guarding as well against an abuse of parental power, sacred as it is in the eyes of French law, as against any denial of the right of parents who have themselves reformed, and securing the personal supervision of private individuals of known benevolence, so as to prevent the law from degenerating into a mere dead letter or police system.

In the account of the International Prison Commission,

great stress is laid on the necessity of keeping an even balance between official and lay representation, so that the experience of the former shall be assisted by the scientific theories of the latter. At the meeting of the Prison Commission, a board representing the whole of France, and supervising all its prisons, just as the State Boards of Massachusetts and other States do for their penitentiary and reformatory establishments, the questions of prison labor and wages were fully discussed, and a circular adopted and issued by the government, regulating the employment of prisoners and their compensation. As these number 25,000, it is clear that after a reduction proportioned to those who are disabled for work, the remainder cannot really affect the general labor market. A similar State Board in this State would no doubt be found most useful and efficacious in devising some system which should economize and utilize the labor now lost in our county prisons, and effect some average between the contract labor of the Western Penitentiary, and the task work of the Eastern Penitentiary. It is certainly evidence of a want of scientific foundation for methods of discipline, when systems so divergent and contradictory are in operation at the two extremes of one State, with no central power authorized to reconcile them. At Stockholm, the Prison Congress heard Dr. Wines' account of the New York system in force at Binghamton, and after full discussion of this and other methods proposed as a preventive and cure of recommitments, resolved with great unanimity that the best thing to do would be to increase the reformatory and labor schools as a preventive measure, and to provide heavy and uniform sentence for habitual offenders, so as really to effect a reduction of their crimes.

In the reports of societies, special attention is given to the plan of homes in the country for discharged prisoners, in the earnest hope of thus reducing the recent frightful increase of recommitments, from ten per cent. in 1880, to fifty per cent. in 1880, specially commended by M. Haussonville, who is

rapidly coming to the front as a recognized authority in all reformatory work, and who regrets that this is as yet without aid from the government. Of almost equal importance is the system of night refuges in Paris, where in three establishments of very modest limits, over 27,000 persons found temporary asylum during 1881, for 5,000 of whom it found employment. The Jews and the Protestants have each a society for the assistance of discharged prisoners, helping thus to save them from a return to crime. Similar societies exist in Warsaw, London, in Stockholm, and in Zurich, and these will in time help to solve the difficult question of how best to reduce the growing percentage of recommitments. The Connecticut Girls' Industrial School, the New Jersey Reform School for Boys, and that for girls, and the Temporary Refuges of San Francisco, all receive the compliment of notice. The Bulletin of the French Prison Society is an admirable organ of an association, in which representatives of all the best elements of French reformatory work, are united. The Society is divided into four sections to consider 1st, Penitentiary legislation in France, 2nd, Prison discipline and care of discharged prisoners, 3rd, Reformatory education, provision for youthful offenders, preventive work, 4th, Penology in foreign countries. The Society meets once a month, from December to June, and announces the subject of its next discussion, as for instance that of the meeting for the following month in the May Bulletin, was the questions submitted by the London Howard Society, as to the comparative merits of long and short sentences, the possibilities of abolishing capital punishment, and the advantage of reformatory over punitive sentences. A report is to be read by a member of the highest French court, and then the matter will be discussed at length, and fully reported in the Bulletin of the society. This is a method that might well be adopted in our own prison societies, as a means of enlarging their field of labor and securing the highest order of intelligence to co-operate in the important work undertaken.

The Monthly Bulletin of the French Prison Society is one of the best evidences of the increased interest in, and study of penology abroad. Founded only six years ago, it has furnished a great deal of important material for the instruction and information of all who have to deal with the broad variety of subjects discussed within its pages. The December number for 1882, gives the address of the President, M. Berenger, at the annual meeting, and an exhaustive report by M. Desportes, on the law proposed in the case of old offenders. It gives a careful account of the prison at Nuremberg, Germany, and a detailed statement of reformatories and preventive work in France and abroad, with special details of those of Detroit and Baltimore. Indeed the attention paid to the reports of the penal and reformatory institutions of the United States, by all foreign writers on these subjects, is one of the most gratifying tributes to the success of just such work, and ought to invite all who are interested in them, to some common agreement as to statistical tables and general results, which shall make a comparison both easy and accurate. The French Prison Society has succeeded in awakening the public to the importance of reform in penal and reformatory work, and in securing both from the government and from the press, such a share of attention as the interests of society demand, not only in repressing crime, but in its prevention, by saving children from vice and in protecting adults from falling back into their old ways through want of employment. It is by the practical application of lessons learned abroad and at home, that legislation becomes wise and practical and secures the best results.

Summary of visits by the committee on the Eastern Penitentiary in Philadelphia :

There were reported during 1882, 448 different visits; 3154 interviews were had with prisoners in their cells and 2479 at the cell doors. There was an average of 360 individual prisoners visited each month, some a number of

times. There were in addition, many visits made by members of the committee, who neglected to report.

LETTER FROM A PRISONER.

Extracts of a letter from a prisoner in the Eastern Penitentiary to a visitor who was about being placed on the visiting committee of the county prison, which prove how highly these visits are regarded, and also how far from being outcasts are such persons who have by some false step been brought to the convict's cell. We present it as a type of many such, and it is well to encourage prisoners to write to the visiting committee their inmost thoughts and aspirations:

"How to correspond with you and state how deeply I deplore your transfer is a subject beyond my ability.

"Your service and your usefulness are being appreciated and acknowledged. There are very few men, whose hearts cannot be stormed and taken by kindness, and as that virtue clusters around the Christian's heart, and is one of the principal weapons he brings to bear on his unfortunate fellow-being to reclaim him, I must admit that its influence is felt by every rational-minded man whose heart is not steeled against all that has a strong tendency to elevate and ennoble him.

"And now as you are going to use your disinterested endeavors in a similar line of action, may an all-wise Providence follow your footsteps, and make your mission a success, so at the day of judgment you will be able to produce some of your hidden jewels, gathered from a class of men who are considered by some people to be beyond the pale of redemption.

"I hope my feeble endeavors to acknowledge your merit and your worth, will meet with a little of your approbation."

TREASURER'S REPORT.

DR. *HENRY M. LAING, Treasurer, in account with Philadelphia*

1882. 1 Mo. 21.	To Balance, ...		\$1,888 04
	" Cash rec'd from Interest on Investments, .		891 71
	" " " " Subscriptions, ...		428 80
	" " " " Mortimer Lewis, Executor of Mrs. Maria Smith, her Legacy, per William J. Mullen, ...	\$2,000 00	
	Interest on " " " " " " "	17 33	
		<u>\$2,017 33</u>	
1883. 1 Mo. 25.	Less Collateral Inheritance Tax, ...	100 00	1,917 33
	To Balance of Interest, ...		199 38
			<u>\$5,820 26</u>

Society for Alleviating the Miseries of Public Prisons.

CR.

	By Cash paid Rent of Room, ...	\$ 50 00	
	" " " Secretary, ...	100 00	
	" " " Agent of Eastern Penitentiary, . .	225 00	
	" " " " County Prison, ...	300 00	
	" " " Committee on County Prison, . .	340 00	
	" " " " " Eastern Penitentiary, . .	50 00	
	" " " Printing Journal, 2 years, ...	151 75	
	" " " Sundry Expenses, ...	50 08	1,286 83
1883. 1 Mo. 25.	Balance { Legacies for Investment, . . \$3,799 83		4,058 43
	{ Income, ... 253 60		\$5,320 26
BARTON FUND.			
1882, 1 Mo. 26.	To Balance, ...	1,427 30	
	To One year's Interest on Garrett's Mortgage, .	120 00	\$1,547 30
HENRY M. LAING, <i>Treas.</i>			
<i>Philadelphia, 1 Mo. 25, 1883.</i>			
Having examined the account of Henry M. Laing, Treasurer, and the vouchers, we find it to be correct, with a balance in his hands of four thousand and fifty-three and $\frac{43}{100}$ dollars; also a balance of fifteen hundred and forty-seven $\frac{30}{100}$ dollars due the Barton fund.			
HENRY T. CLAGHORN, } JOHN H. DILLINGHAM, } <i>Auditors.</i>			
PHILADELPHIA, 3d Mo. 5, 1883.			
Thirty-seven hundred and ninety-nine and $\frac{83}{100}$ dollars of the above are legacies to be invested.			

ARTICLE V.

The Acting Committee shall consist of the officers of the Society *ex-officio*, and fifty other members. They shall visit the prisons at least twice a month, inquire into the circumstances of the prisoners, and report such abuses as they shall discover to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death, or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society, or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a life membership.

ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

ARTICLE VIII.

The Society shall hold Stated Meetings on the fourth (Thursday) in the months called January, April, July and October, of whom seven shall constitute a quorum.

ARTICLE IX.

No alterations to the Constitution shall be made, unless they shall have been proposed at a Stated Meeting of the Society, not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided, the Presiding officer shall have the casting vote.

Extract from "A further Supplement to an Act entitled, An Act to reform the Laws of this Commonwealth."—Sec. VIII., Art. 7.

OF VISITORS.

No person who is not an official visitor of the prisons, or who has not a written permission according to such rules as the Inspectors may adopt as aforesaid, shall be allowed to visit the same; the official visitors are the Governor; the Speaker and Members of the House of Representatives; the Judges of the Supreme Court; the President and Associate Judges of the Courts in the State; the Mayor and Recorder of the cities of Philadelphia, Lancaster and Pittsburgh; Commissioners and Sheriffs of the several Counties; the "Acting Committee of The Philadelphia Society for Alleviating the Miseries of Public Prisons."

NEW SERIES.]

No. 23.

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY.

PUBLISHED ANNUALLY
UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"
INSTITUTED 1787.

No. 1602 Chestnut Street.

JANUARY, 1884.

PHILADELPHIA:
AMERICAN PRINTING HOUSE,
N. E. COR. EIGHTH & JAYNE STS.
1884.

CONSTITUTION

-OF THE

Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence, which are founded on the precepts and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt, (the usual attendants of prisons,) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity their undue and illegal sufferings may be prevented; the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes they have adopted the following CONSTITUTION :—

ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors, and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society, within thirty days, for the purpose of holding such election, of which at least three days' notice shall be given.

ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call Special Meetings whenever he may deem it expedient, and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay all the orders of the Society, or of the Acting Committees, signed by the Presiding officer and the Secretary, and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All bequests, donations and life subscriptions, shall be safely invested, only the income thereof to be applied to the current expenses of the Society.

NEW SERIES.]

No. 23.

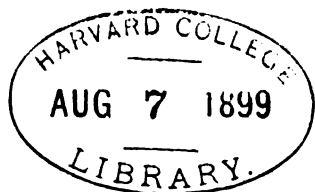
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Pa. Prison Society.

AMERICAN PRINTING HOUSE,
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ROOMS AND LIBRARY OF THE
PHILADELPHIA SOCIETY

FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

No. 1602 Chestnut St., Phila.

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First Month (January) 17th, 1884, the Editorial Board, (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of ALFRED H. LOVE, CHARLES ROGERS, JOHN J. LYTLE, JOSEPH G. ROSENGARTEN, JOHN H. DILLINGHAM, presented the draft of the Annual Report, which, being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At the Ninety-eighth Annual Meeting of the Society, held First Month 24th, 1884, the Report was presented by ALFRED H. LOVE, Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have seven hundred and fifty copies printed, with authority to make such alterations and additions as they might think proper ; and they were also authorized to distribute the Report.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE,

Secretary.

NOTE: Persons receiving the Journal are invited to correspond ; and publications on Prisons and Prison Discipline and articles for the Journal may be sent to Alfred H. Love, Chairman of the Editorial Board, 219 Chestnut St., Philadelphia, Pa.

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1884.

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CHARLES HERITAGE is Agent for the County Prison, appointed by the inspectors, and acting under their direction, and is also appointed by the Prison Society.

WILMER W. WALTER is Agent for the Eastern Penitentiary, appointed by the Prison Society.

JOURNAL OF PRISON DISCIPLINE.

NINETY-SEVENTH ANNUAL REPORT OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

THE retrospect of the past becomes the stimulating prospect of the future, when that past has been one of active beneficence.

With this assurance the Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons presents its ninety-seventh annual report with the Journal of Prison Discipline and Philanthropy.

The ninety-seventh annual meeting was held First month (January) 25th, 1883, in the room 109 North Tenth street, the last annual meeting that will probably ever be held there, as the new and present place of meeting, 1602 Chestnut street, was engaged March last.

At this annual meeting the chair was occupied by Rev. James Saul, D.D., in the unavoidable absence of our esteemed and venerated President, James J. Barclay, now ninety years of age, and whose advanced life and increasing infirmities render it almost impossible for him to attend evening meetings, and compel us to excuse him, although very greatly to our loss, and, as we are assured by his frequent messages, very much to his own regret.

We congratulate the Managers of the House of Refuge for the appropriate manner with which they complimented their President and ours on the 15th of January, 1884, by the reception at the House of Refuge; and as an evidence of the status of this American institution of reformation it was a noteworthy part of the proceedings that one of the girl inmates wrote an address to Mr. Barclay, which was read to him, and one of the boy inmates, himself, addressed him on behalf of his companions, which called forth from Mr. Barclay a neat and appreciative reply. The *Public Ledger* thus referred to this event: "It is a gratifying sight to see this aged citizen, whose span of life goes back to the days when Washington was President and the National Capital in Philadelphia, still engaged in the service of afflicted or unfortunate humanity as actively as if he was but sixty, instead of ninety."

It is a remarkable fact that this Society, having existed ninety-eight years, has had two Presidents whose united terms aggregate eighty-five years. The first President was the Rt. Rev. William White, D.D., who continued in office until his death in 1836. Mr. Barclay was elected a member in 1819, and in 1849 was made, and still continues, President.

The interim between 1836 and 1849 was signalized by having four distinguished men to fill the office of President: Thomas Wistar in 1837, John Bacon in 1838, Zachariah Poulson in 1840, and George Williams in 1845.

It is also a singular fact that Mr. Barclay's law office is, and has been for many years, upon the site of the jail of one hundred years ago, at Sixth and Adelphi streets. Here it was that Samuel R. Wood, a man of wonderful nerve and executive ability, and who was afterwards Warden of the Eastern Penitentiary, induced Mr. Barclay to enter, who at once became interested from seeing young children associated with old convicts, and he joined the Prison Society. From this interview, and the impressions then received, was the origin of the present House of Refuge.

This subject has for nearly a century engaged the attention of the Society, and notwithstanding the many reforms that have been introduced, there is one yet to be accomplished. It is a sad reflection upon the known wisdom of our city and State government, that it permits the commitment of young boys and girls to our penitentiaries and prisons. The police magistrates of Philadelphia send to Moyamensing Prison children under the age of fifteen, and with the overcrowded condition of the prison, these young persons are found in cells intended for one inmate only, with those of mature years and hardened in crime. The Prison Society resists this practice, and during the past year has protested against it, appealing to those in power to discontinue it, and at the same time endeavoring to awaken a public feeling that will assert itself in the courts and halls of legislation, that it may be prohibited.

To this end a committee was appointed, first, to obtain information as to the facts, when the Secretary consulted the counsellors of the Society, with the following result :

Opinion of A. Sydney Biddle, Esq., one of the Counsellors of the Society, in Regard to Committing Minors to the County Prison.

1. The general power of commitment to jail of persons accused of criminal offences seems to have been vested in Justices of the Peace, and subsequently in city Aldermen and Magistrates, by virtue of the common law, and I can find no statutory regulation of this power in Pennsylvania, except in a few cases, where the mode of commitment for specific offences has occasionally been regulated. It follows, therefore, that Magistrates have all the powers in this matter with reference to the commitment of children which Justices of the Peace had at common law.

Children, according to their age and discretion, have always been held capable of committing certain crimes, and have been punished as other offenders. If, therefore, a child is of an age which renders him culpable under the law, a magistrate's power to commit him to the ordinary jail when accused of crime, is unquestionable.

2. But a clear alternative is given to magistrates to commit children to the House of Refuge instead of to jail, by the Act of Assembly establishing that institution. Three classes of children may be

committed to the House of Refuge: (1) Infants convicted of criminal offences in the Courts of Oyer and Terminer and Quarter Sessions; (2) infants committed by an alderman or justice of the peace on the complaint of parents, &c.; (3) infants committed by such officers upon proof of incorrigible or vicious conduct, or of the incapacity of parents or guardians to exercise proper care and discipline. The last class clearly includes all these children accused of misdemeanors before a magistrate, but it is doubtful whether it includes those charged with felony. (See Purdon's Digest, p. 766, note.)

The discretion of magistrates to commit either to jail or to the House of Refuge being absolute, the practical question is, How can they be induced to exercise that discretion in favor of the latter institution? I am informed by one of the members of the Board of Managers of the House of Refuge that a prejudice against the House exists in the minds of certain magistrates who consider that the term during which children must remain in the House, *i. e.*, until twenty-one years of age, is so long as to inflict an undue penalty for small misdemeanors, and that the object of the law could be better attained by committing them for short periods to the county jail. Further, other magistrates, through insufficient information or prejudice, consider that the congregation of a large number of children in the House of Refuge is attended by pernicious results. If, through personal persuasion on the part of your Society, or otherwise, the various magistrates could be induced to change their practice, and invariably commit minors to the House of Refuge instead of the jail, the evil you complain of would be obviated. I see no other means of accomplishing this result.

The next step was the following address to the Police Magistrates of the city of Philadelphia:

To the Police Magistrates of the City of Philadelphia:

RESPECTED FRIENDS: Sixty-five years ago James J. Barclay, Esq. the President of this Society, entered the Jail, then at the corner of Sixth and Walnut streets, and found children incarcerated with old and hardened criminals. He at once protested and effected a change, and the House of Refuge was the outgrowth of his efforts.

We find that children are now committed to the County Prison and placed in cells with persons of mature years, far from mature in judgment and virtue. This is the case in both the departments for men and women.

Boys and girls are sent there from the ages of ten to fifteen years, and occasionally even younger, and although by law accorded a hear-

ing within forty-eight hours, they are held weeks without being brought into court.

We cannot but regard these as very grievous and pernicious mistakes.

We hold that Moyamensing Prison was never intended for the incarceration of children. Children require different treatment. In their young and growing years, even if guilty of offences, they need the open air, change, exercise, helpful and elevating surroundings, opportunities for development, and totally different influences from those which they meet in the cells of any prison; not alone those of our County prison, which were built for one person only, and have none of the true correctional requirements for the child-life.

With the well-known philanthropy, the broad educational and reformatory views of Philadelphians, and the many Homes, Houses of Refuge, Asylums and Reformatories open for children that are wayward or even guilty of crime, *can you not adopt some means or suggest some plan that will obviate the commitment of children to prison?*

The care of our youth is of paramount importance. You as men, citizens, parents, ministers of the law and upholders of public morals, are doubtless aware of the necessity of so moulding the minds and habits of the young that they will develop into upright and useful men and women. Herein is to be found the true protection of society, the foundation of national prosperity and the general happiness of all.

Viewed in connection with other cities, and especially with those of foreign countries, Philadelphia has comparatively few really bad children.

By early, proper, and earnest care, the number can be lessened still further.

We have in this city the elements of an excellent reform system for children, and we will feel grateful to you if you will give the subject the consideration of your experience and judgment.

The visits of the Acting Committee, consisting of about fifty persons elected by the Society, and acting under the charter of the State of Pennsylvania as official visitors to the State Penitentiaries and County Prisons, have been made as usual. Those to the jails out of this county have been occasional, and have disclosed the fact that there should be more care in many of them respecting the separation of prisoners, and the adoption of the many improvements and reforms found in the model State Penitentiary of the Eastern

District of Pennsylvania, of which Michael J. Cassidy is the Warden, and whose administration is worthy of high commendation.

Monthly reports are made by the visitors as to the number of prisoners in each division, number of visits since last Report, number of interviews with prisoners in their cells, number of interviews with prisoners at their cell doors, and the number individually or separately visited.

We recommend reports hereafter, on the *kind of employment* and the *number employed*, and *how many earn pay by working beyond their tasks* in each Division.

At the Eastern Penitentiary, during 1883, there were reported 484 visits; 4,560 visits were made in the cells; 2,349 interviews were had at the cell doors, and an average of 537 prisoners were individually visited each month. This does not include the number of times each prisoner may have been visited, but marks the fact that 537 prisoners were insured a visit monthly at least by some member of the committee. If all reported their visits, the number would be still larger.

At the County Prison the number of visits made by the committee amounted to 305. The number of prisoners visited has not been recorded, but we are assured that it is large, and that both in the men's and women's departments these visits have been greatly favored and appreciated.

During the past year additional interest has been excited relative to the Eastern Penitentiary and its management. We find Eastern papers speaking of it as "The Quaker Prison;" "A Penitentiary run on Quaker principles." "Not at all the Bastille, Charles Dickens pictured it." "A humanely ordered prison." "An institution which is a model of its kind." A correspondent of the *Boston Herald* spent several days making measurements and investigations, and we quote from his report a few passages, as it will give even those who are familiar with the prison, certain data they may not have known:

The front is of great blocks of stone ; the walls are 12 feet thick at the base and nearly three feet thick at the top. The area occupied is about 10 acres. The central building is 200 feet long, consisting of two projecting, massive, square towers, 50 feet high, crowned by embattled parapets. In each tower are pointed mullioned windows, and the edifice resembles some enormous castle of the middle ages. The entire length of the facade is 670 feet. The great gate is 27 feet high and 15 wide. A tower 80 feet high, octagonal in shape, surmounts the entrance. You enter the big gate through a wicket, are then passed through another inner gate, and find yourself on a broad walk leading to a low octagonal building, from which radiate, precisely as do the spokes of a wheel from the hub, the " blocks," or long buildings, which contain, on either side of the corridors, the cells. Surrounding many of these " blocks" are low walls, 11 feet high, and inside of these will be found a number of little yards (one to each cell). Two of the blocks are two stories in height, a mistake which is now perceived. The low, eight-sided building from which the blocks radiate is the " observatory," standing in which the guards can see down every corridor, an arrangement which makes it unnecessary to employ a large force of watchers. It is a very safe prison. Since it was opened in 1829, nearly 55 years ago, there have not been a dozen successful escapes, and the greater number of the runaways were retaken. The chances of getting out of this prison are about 1 in 100,000.

You will be struck with the exquisite cleanliness of the establishment, the cells and offices. The blocks are of various lengths, ranging from 268 to 368 feet. On either side of the corridor running the entire length of each block are the cells, in which the convicts live and work, though not on the white slave contract labor system.

It is a very cheerful prison. The purity of the air, the order which prevails, the sunlight on the walls—all these things conspire to make one feel how great has been the advance in penal institutions since Howard found everywhere in Europe loathsome jails, dark and squalid dungeons, into which youths guilty of mere misdemeanors, who to-day would be sent to a house of industry, were crowded together with the vilest scum of depraved humanity.

The cells are heated by steam and provided with gas fixtures for evening reading, each cell has its water-closet, and narrow skylights admit light by day, and fresh air when wanted. There is no foul odor in any of the cells. Sweeping always through the corridors is abundant fresh air from out-of-doors. There is water for drinking and washing, led by pipes into every cell.

The following conversation was had with a prisoner :

"What are you allowed to read?"

"Oh, we have a good library, and, beside that, we are allowed to subscribe to one weekly paper of the county from which we came."

"How are you treated by the officers?"

"First rate; they always address us as if we were their equals. They say 'sir' and 'please', and all that. It makes a man feel that, if he is a prisoner, he is of some account in the world. Our warden is a very just man, and the overseers—are gentlemanly. They don't work any one hard. It's not a bad place, but I'd like to see the outside."

I talked with at least fifty men, and among none of them did I find those "haggard faces" of Dickens' fancy—faces looking "as though they had all been secretly terrified." They were, as a rule, far more cheerful than I had seen in some of the prisons in New York. Most of the more intelligent convicts had read Dickens' "Notes," and they all, with one exception who thought things might have been worse in 1842, laughed at the overwrought description. A distinguished citizen of Philadelphia, who gave the novelist, at his persistent request, permission to visit the penitentiary, told me that Mr. Dickens expressed great satisfaction with what he had seen, and gratuitously remarked that it was the first prison he had ever seen where was exemplified the parental relation of father to child. But the subsequent temptation to write a "thrilling description" of the "solitary" prison was too much for the great caricaturist.

The Eastern penitentiary is not a manufactory; it is not managed with the sole idea of making money (an idea, in fact, which has no hold at all in its administration); it is not conducted on the usual Gradgrind system of getting every dollar out of a convict which can be squeezed from his tired muscles. It is a place where bad men are punished, by confinement, for violation of the law, where they are encouraged to learn trades which will be of utility to them on leaving, and where those influences which go to reform a bad man, or an erring one, have ample scope.

The system of separate confinement has many excellences which must commend themselves to thoughtful men. Under this system a convict is not forced into degrading association with hundreds of other criminals; it is possible to treat him as an individual, and not as a unit in a herd of white slaves hired out to prison contractors. The fundamental idea of the Eastern penitentiary is, dealing with man as an individual, and not as one of a class. Here men are studied as individuals by the inspectors, by the warden, and by the resident phy-

ician, who gives all his time to the scientific study of the men; and I will venture the assertion that there is not a single other prison in the United States which has to show such a mass of intelligently compiled statistics of the causes of crime as this self same prison. To administer the affairs of such a prison requires that the board of management shall be composed of high-minded men, interested in the work to the degree that they are willing to give considerable portions of their time, for years, to a personal study of the prison and its inmates. The board of inspectors here is composed of such.

Every prisoner is taught a trade. Every man capable of receiving instruction is taught to read, write, cipher, and to work at some honorable calling. If unusual talent, or decided bent is shown by a convict, he is aided to pursue special investigations or studies. There are to-day practicing medicine in this country three very successful physicians who studied medicine and anatomy within the walls of the penitentiary. They studied the theory in the prison, and were given a chance to receive clinical instruction on leaving the prison. A man who wants to improve himself has ample opportunity, and men are encouraged to learn. I saw one man who has marked artistic powers, and to whom is furnished canvas, colors and brushes at the cost of the Commonwealth of Pennsylvania. It is thought true economy to aid this man to acquire an art by which he can make an honest livelihood.

The commutation of time system, on account of good conduct, is in force in this prison, and, under the constitution of Pennsylvania, a convict has not forfeited his civil rights, as is the case in almost every other State.

The question of "overwork" is not debated in Pennsylvania. In the Eastern Penitentiary it is not only permitted, but encouraged. President Vaux, of the Board of Inspectors, says: "The benefits that come to the prisoners and their families from the allowance for overwork cannot be mistaken. While a convict feels that each day he can contribute a small sum for the assistance of his wife and children, and they know that some of their comforts are derived from the absent husband and father, the ties that bind the family are kept alive. The released prisoner finds at his home a welcome, and this is one strong inducement to reform. Overwork is a great reformer in many cases. Its influence is always for good. Every effort is made to induce the prisoners to accept its benefits, and there is no known instance in which good has not been attained.

The convicts in this prison send out to their families annually an average of \$10,000. In 1882 the sum paid out in this way was on the account of 815 prisoners. The task of each prisoner is fixed. When

the task is finished, then whatever excess of work is performed by the prisoner is divided, one-half is given to the county sending the individual, and the other one-half is credited to the prisoner on the books of the prison clerk. Thus the sum above mentioned is only half of the amount actually earned as overwork. I am satisfied that overwork, in a prison like this, where the daily tasks are not difficult, and where the object of the management is not to make a showing of great earnings, is not an evil, but rather a benefit to the men, and conducive to good discipline and ultimate reform.

The overseers, as the guards here are called, are a picked body of men; they are not ward politicians. They have the benefit of a daily training school in prison management, when, at the close of the day, they assemble in Warden Cassidy's room for the purpose of receiving instructions how best to perform their duties. They even write papers on prison discipline. No overseer here carries arms; the Warden is unarmed. The rifle and revolver are supplanted by better weapons. Under the separate system, a prison is not under semi-military rule. Is it an expensive prison? Not at all. It costs a trifle over nine cents a day to support a convict here.

We have quoted these extracts from F. R. G.'s article in the *Boston Herald*, because they present important principles and reforms which we have been instrumental in having introduced, and the presentation of these facts comes with additional weight, and certainly with better grace, when told by a stranger, and in quite an unexpected manner.

The unsuccessful application of the Society to the State Legislature for \$5,000, to serve for two years, to enable the Acting Committee to aid deserving prisoners discharged from the Eastern Penitentiary in obtaining employment, buying tools, paying board, and preventing them returning to their criminal habits, was unexpected and deeply regretted. The vote, however, was gratifying—85 voted in favor and 64 against—and we cannot help thinking we would have had the necessary two-thirds, had our application been thoroughly understood and unjust prejudices corrected.

We feel indebted to Hons. George W. Hall and Rev. James Neill, of the House of Representatives, for their able advocacy of the bill; and when we think that in ninety-seven

years we have received but \$6,000 from the State whose interests we have served by preventing the recommitment of criminals, in saving its citizens and its treasury, and have from our own resources paid over \$100,000; and when we see the State of New York appropriating about \$10,000 annually for the Prison Society there, which is less active than ours, we are satisfied that we must renew our application and insist upon our claims.

Impressed with the necessity of visiting the County Prison on the first day of the week (Sunday), and having been informed that the Board of Inspectors denied our right to do so, we addressed the Board as follows:

WHEREAS, The Philadelphia Society for Alleviating the Miseries of Public Prisons," organized in 1787, among other objects, especially for religious and friendly visitations of prisoners, under the separate system of our State making it necessary for individual treatment; and

Whereas, For this long term for nearly a century, it has without intermission, conducted its labors unimpaired, and without the violation of any portion of the Act under which it was incorporated and invested with official powers of visitation by the State; and

Whereas, In 1854 a resolution was adopted by the (then) Board of Inspectors of the County Prison of Philadelphia, prohibiting the Acting Committee from visiting on the first day of the week, at which time some of the members of the said committee alone have the time to devote to such religious and friendly visitation, and when the prisoners are not at work, and are inclined to receive such visits; and

Whereas, The Prison Society being desirous alone of conforming entirely with the law and the requirements of the Act, and of the authority by which we have been empowered with rights, so as to carry out conscientiously our duty to the prisoners and to ourselves; and

Whereas, We hold that these rights and duties are seriously interfered with by the continuance of the said action of your Board, to whom we have on several occasions appealed in the most friendly manner; and

Whereas, We understand that one of the objections to our visiting is, that some of the keepers are off of duty on that day; to which we respectfully reply that we act somewhat as keepers and care-takers, and that the safety of the prisoners *is increased*, and *not lessened* by our presence, that we have ever scrupulously observed the rules of

the prison, and no escape has ever occurred through any one of our committee; therefore,

Resolved, That we appeal to you, the present Board of Inspectors, that you will repeal this action, so that the Acting Committee can visit the prison of the prisoners on the first day of the week, in the same manner as on any other day, and with the same freedom accorded nearly three-quarters of a century of its existence, and always with marked benefit to the institution, the imprisoned, and to prison discipline.

Resolved, That the opinion of our Counsellor, A. Sydney Biddle, Esq., be appended to these resolutions and respectfully submitted to the Prison Inspectors of the County Prison.

Resolved, That the chairman of this meeting, Caleb J. Milne, one of the Vice Presidents of the Prison Society, be requested to mention the above.

OPINION OF A. SYDNEY BIDDLE, ESQ.

By the same Act of Assembly which created the Inspectors of the Philadelphia County Prison, a general power of visitation of said Prison is given to the Committee of this Society. The Act set no limits upon the time of the Society's visits, nor is the Society subjected in any way to the authority of the Inspectors. It seems, therefore, very plain to me that the Society can, if they choose, visit the County Prison on the first day of the week.

As indicated above, the Society, or its Committee, clearly has as much right to visit the County Prison as the Eastern Penitentiary. The government of the Penitentiary is regulated by the Act of April 23, 1829, P. L. 351; that of the Prison by the Act of April 14, 1835, P. L. 236. In both Acts these words are found: "The official visitors are * * * the Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons." See Act of 1829, sec. 7; Act of 1835, sec. 8.

To this communication the following reply was received:

PHILADA., Second Mo. 22nd, 1883.

MR. J. J. LYTLE:

DEAR SIR:—There is a positive order of the Board of Inspectors of the County Prison that no visitor shall be admitted on the First day of the week. The matter in relation to this decision is found in the transactions of the Board of 1854, a copy of which I sent to Mr. Love a short time since. Mr. Pooley called, and I explained the state of the case, and assured him that this action had been taken from a conviction that it was best for the interest of the prison, and not from any

feeling adverse to your society, which has a representative in Mr. Heritage, and for which Society the Inspectors have cordial respect and regard.

Very Respectfully,

DR. CASPAR WISTER.

When our President, Mr. Barclay, heard this decision, he made the terse remark: "The Acting Committee of the Society are 'official visitors' to the County Prison, and I cannot understand why official visitors can not and should not visit the institution on the first day of a week, as well as on the last day of a week."

There continues to be marked dissatisfaction because of the action of the Board of Inspectors, and it is hoped that upon further consideration and explanation the difference of opinion will be removed, and the visits of such of the committee as desire to visit the institution on the first day of the week, will be resumed.

On the 19th of the Fourth Month a committee was appointed to visit the House of Correction and to make as frequent visits thereto as possible, and to regularly report to the Acting Committee.

It is hoped that the beneficial influence of our Society may be extended in this direction, and we have the assurance of those in charge at the House of Correction that we will be cordially welcome at all times. So far, the reports we have received have been very satisfactory, although they have not been as full and as frequent as we expect to have when this additional labor is more thoroughly organized.

MATRONS FOR POLICE STATIONS.

The proposition to have suitable women selected, to serve as officers in the various police stations of Philadelphia, where women are first brought when arrested, in order that the personal inspection and supervision of female prisoners may be entrusted to them, is so obviously proper that it seems surprising that the plan has not long ago been adopted. It has been tried in some form in New England.

Benjamin H. Child, Chief of Police, Providence, R. I., says:

"An ordinance whereby the Chief of Police was instructed to employ a suitable person to fill the position of Matron became a law February 15, 1881.

"Quite a number of applications were made for the place by competent persons, but believing that the interests of the city would be best subserved by the appointment of some person as Janitor whose wife could perform the duties called for, on the first day of March, 1881, I appointed Amos C. M. Olney as Janitor, and Celia Olney, his wife, as Matron, with a joint salary of \$85.00 per month.

"A suite of rooms had previously been provided for their special accommodation.

"All female prisoners received at this station are immediately placed under the care of the Matron, who has charge of the prisoners' dock, where they await their arraignment, or trial, before the police and justice courts; she continues her supervision until they are discharged from custody or are taken away to be committed to the State Institutions in Cranston. She also searches all of the female prisoners previous to their commitment to the cells, many of whom are charged with larceny, and are suspected of having stolen property in their possession.

"In addition to the large number of prisoners brought to the Central Station, many insane persons of both sexes are detained here for safe keeping, to await transportation to hospitals both in and out of the State.

"The fitness of having a Matron to care for females who are bereft of reason, and entirely regardless of all the ordinary proprieties of life, is obvious to every mind.

"Besides attending to the needs of the inmates referred to, the Matron assists her husband in the general discharge of his duties.

"The present incumbent of this position has performed her duties to my entire satisfaction, and although the system is an experiment and may require modifications, as the business of this department increases, I am free to state, that in my opinion, for many reasons, it is a great improvement on our previous method of doing such business. It also relieves our officers from the execution of many unpleasant and delicate duties, the necessity of which has not been generally understood, and for the performance of which we have sometimes been severely criticised."

Mrs. Barney, of Providence, in forwarding this letter to

the Secretary of the Philadelphia Society for Alleviating the Miseries of Public Prisons, writes, June 30th, 1883 :

"I am greatly obliged for the assurance that your Society will make efforts early in the autumn for the establishment of police matrons at police headquarters. I am afraid that a petition for matrons at *all* the stations would defeat itself by the magnitude of the work and attendant expense. But if, as in Chicago, you could have *four*, stationed at different places, and have regulations requiring that all women arrested be delivered at their special places, the needs would be met and the way paved for still farther improvement in the future. It is very important that wise Christian women be thus employed ; and in some places, as in Brooklyn, N. Y., and Cleveland, Ohio, they go into court with the women and act as court agents. We employ another woman to do this in Providence, and one of the matrons from the Home for Friendless Women serves us in that capacity."

And again, in a letter of July 11th, 1882, Mrs. Barney suggested this movement for police matrons in Philadelphia, and said :

"Many cities are moving in this matter and several have already inaugurated the plan. In Providence we are in the second year of the arrangement, and no one would be willing to go back to the old system."

The editor of the *Peacemaker*, who has devoted one page of its monthly issue to the subject of Penology, says of this movement :

"No argument need be added to show the importance of this subject. The only question perhaps is as to the official character of the appointees ; whether they should be janitors' wives, matrons, or invested with the full power, authority and compensation of police officers ? We incline to the latter, on the principle of equity and especially as these persons would be required to appear in court, give testimony, and superintend prisoners while awaiting during trial, just as police officers are now required to do."

The Prison Society took action in this matter and first addressed Mayor Samuel G. King, and then called upon him by a committee, with the following result :

John J. Lytle, Charles Rogers and Alfred H. Love reported :

Mayor King cordially received the committee and heard the statement. The experience of Providence, Chicago and other places was

quoted, and he replied: "I am satisfied a woman should be in attendance at the police stations to care for women arrested. Perhaps we could not try it, except at the Central Station, for the present. I will recommend it. I am conscious that improprieties may take place where men have charge, and vulgar stories have been reported. I believe the reform can be made with but little expense, and if no appropriation can be had, I will, after the first of the year, inaugurate it, even if I have to pay the expense out of the money appropriated for this office." He also requested the committee to visit the new and improved station-house he had erected on Second, above Christian, and thanked the committee for calling. One of the committee has since visited the station-house alluded to. He made a suggestion to the Lieutenant of the station-house. He proposed that the officers should pay a small contribution towards founding a library, but it did not seem to meet with approval. The Mayor, however, said *he would see that they have one.*

It is gratifying to be able to report that all the reforms and improvements introduced in the Eastern Penitentiary, and referred to in our last report, continue unimpaired. The system itself, the individual treatment of prisoners, or the separate system, is being perfected as opportunity is offered.

It seems to be a cardinal principle with Mr. Cassidy, the Warden, to allow no retrogression, but to add to the morale of the institution as new and approved propositions are presented.

The distinguishing principle of individualization or separation, is more and more conclusive with the experience of each year. Equally good order prevails throughout the thousand inmates of the Penitentiary of the Eastern District of Pennsylvania. There has not been a single attempt at escape during 1883, and there has been no one placed in a dark cell. In fact *there is no longer any dark cell.* There is a growing disposition to substitute premiums for good behavior, in place of penalties for wrong doing. It may almost be said there are no punishments. Such as they are, consist in the deprivation of comforts. First, the withholding of some of the variety of food for ten days or so, then the refusal to give books from the library, next the with-

drawing of the privilege of writing letters. If the insubordination continues, the bed is taken away, the commutation denied, and in this ratio the prisoner finds that misbehavior brings its own retribution. It is a lesson in itself.

"The cross if rightly borne, shall be
No burden, but support to thee."

On the other hand, good conduct is rewarded and the law of commutation is allowed its fullest exercise. That additional stimulus may be given the prisoner the task has been lessened, so that more can be made for the private account of the prisoner. The partnership plan continues. The Warden becomes banker, and as has been tested recently in our courts, he can keep the money belonging to prisoners for them, despite the outside claims of attorneys.

The choice of employment is left somewhat to the prisoners, but everyone is required to work at something. There will be found a singular uniformity, year by year, as to the amount of money earned by prisoners for themselves, *beyond their task*. We like the term, *beyond or over their task*, better than that of "over-work." The latter conveys the impression that the prisoner is *overworked*, when such is not the case. Although there is no contract labor, the Warden very properly says of the work of the prisoner: "he has no time to himself;" meaning by that, he is sent to the Penitentiary "for hard labor," but by a wise division and allotment of that labor, he can readily finish the daily requirement, and then have time to work for himself, or to read, write or study.

During the past year there were made by the prisoners for themselves about \$20,000, of which about \$10,000 were sent out to their families. This seems large, but we must remember there is an average of 1,000 prisoners. This would be about \$20 per annum for each person, or a little over a dollar and a half per month. Although this is not a large amount, the wisdom of the provision cannot be doubted.

Cleanliness continues to be a distinguishing feature of the

cells, which are supplied with gas and water and heated by steam.

Bath rooms have been so arranged that each prisoner can have a weekly bath.

In each corridor will be found prisoners who have the use of the block or corridor, as they are required to aid the overseers in various kinds of works. They are called "runners," and are such as by good behaviour are esteemed worthy of confidence and this much of liberty.

The moral instructor, Rev. J. Y. Ashton, deserves especial commendation for maintaining the religious exercises for the Sabbath. At 9 o'clock A. M. about 75 persons, old and young, meet in the center of the building, and after appropriate advice divide into the different corridors and speak and sing to the prisoners, who remain in their cells with their doors so open, they can hear every word but cannot see any face. At 10 o'clock these good people return to the center and in concert sing to all the prisoners. Mr. Ashton controls this very acceptable and thoroughly unsectarian service. The prisoners often unite with the singing, as they are each provided with the hymn book.

The Warden still calls together, five evenings each week, those employed as overseers, and instructs them as to their duties, hears their views and daily experience, and talks with them or reads to them, so that they may the better perform what is required. It is eminently wise that there should be a school or a plan of instruction for the office of overseer of a prison, and those having the care of human beings deprived of their liberty.

PROPOSED REFORMS.

While we cordially recapitulate and commend the good work that is being done at the Eastern Penitentiary and the excellent penal system of our State, we would be wanting in independence and a just appreciation of the truths we have learned by experience, if we withheld the thoughts that are

presented to us as advanced principles of penology, even though they conflict with present customs. The *abolition of time sentences* and the substitution of those that are indeterminate, would be an improvement. True, in this State, there has been a marked advance. In 1836 and subsequently, the laws have been so amended that the penalty for all crimes except those of treason and murder in the first degree, shall be, in connection with hard labor, imprisonment for a term not exceeding a certain number of years.

This leaves it to the Judge to impose a sentence somewhat in accordance with the condition of the criminal.

We are not unmindful that this is in the line of the improvement which experience has forced upon our minds. We are satisfied that too often the sentence is governed by the time imposed by the nature of the crime, rather than by the condition and circumstances of the offender. Let us understand as the basis of action—that it is not the *crime* that is to be punished, but it is the *criminal*; and yet not the criminal, as we hold, that is to be *punished*, but the criminal that is to be *reformed*.

The laws of this State can be further improved by an entire abolition of even a limit as to the term of imprisonment, and the law of commutation for good behavior can be perfected by the same means.

We want more individualization. Rather look at the dock and the prisoner than to the law book. See what is the character of the prisoner about to be deprived of his liberty; what the conditions surrounding his life, and what the circumstances of the crime. Then sentence to the Penitentiary, for reformation, for an indefinite period, until proper to discharge, or until it is safe for the community to have him at large.

Crime should be treated as a disease, the criminal as a patient requiring treatment. A physician of intelligence will prescribe the remedy until recovery, and cease administering it, when there is a cure.

As it is now—the prisoner can claim liberty when the term expires, even if there be no reformation, and though boastful of having revenge for his arrest and imprisonment. Such a person is not fit to be discharged. More medicine is needed. There is no cure. Our plan would hold such, a longer period, and thus promote reformation of the prisoner and protection of society.

On the other hand, the prisoner that is thoroughly and reliably penitent, determined to lead in the future a correct life and make restitution for wrong committed, that is serious and in earnest, diligent at his work, religiously inclined, respectful to officers, cleanly in person, fulfilling in short all the requirements of the prison, and manifesting unmistakable evidences of a changed condition, should not be continued a prisoner, a tax upon the State, a loss to the community, a disadvantage to himself and a discouragement to the principles of reformation and hope, but should be discharged and thus given an opportunity of trying to live an upright life. Such a person should not be compelled to complete, perhaps, a long sentence. There is no more medicine required. The remedy has effected a cure.

It may be asked, How will the matter be determined? Who will be the judges? Will there not be deception? We answer: If the principle be good, there will be found means to execute it. Let there be a *Commission on Discharge*. Let this be composed of those who have every opportunity for deciding the cases. Five persons would be sufficient: The Warden, the Overseer, the Moral Instructor, one of the Inspectors, and the Prison Society visitor of the particular block or prisoner.

George W. Burchard, President of the State Board of Supervision of Wisconsin Charitable, Reformatory and Penal Institutions, says: "Discharge a prisoner before reform takes place, and society will be more in jeopardy from him than ever before. Hold him in confinement after reasonable assurance that he may be at large without prejudice to the

lives, persons or property of his fellow men, upon any theory that he has not paid the penalty of his guilt, or fully expiated his offense, and you usurp the prerogatives of Providence, who has said—"I will repay." "Considered only as deterrent punishment, the principle of indeterminate sentences for all kinds of crimes and all classes of criminals will secure to the State adopting it, and adhering to it, the largest measure of security against crime and criminals of every degree." "It is a mockery of justice and a confession of the inutility of the present system, to be sending so many men and women to prison for third, fourth and fifth terms." "Thistles do not produce figs, nor thorns grapes." "Perfection is not attainable under any system. Mistakes are inevitable. But with indeterminate sentences and conditional discharges, regulated by prison managers, the margin for mistakes will be reduced to the minimum."

What kind of work shall be given prisoners? The law declares the sentence shall include "to hard labor." We hold that the work shall be honest, elevating and remunerative. By honest, we mean good, thorough and perfect work. If it be shoemaking, the leather to be strong and well tanned, the soles to be put on without deception, the welt to be never to deceive the true thickness of the sole; in a word, the shoe to be honestly made, even though it be roughly made. These remarks will apply to all kinds of work. Cane-seating, for instance. Let the cane be good, not rotten or defective. Encourage the workmen to turn out excellent work, and not to be satisfied with merely fulfilling the task or the sentence—"hard labor." By "elevating," we mean such employment as can be worthily followed after discharge, and that will bring around the discharged prisoner the higher and ennobling influences of trade. Cigar making is not elevating. The manufacture of cigar boxes is not of the kind to give a higher tone to labor. For strong men to be employed in this manner is not ennobling. It is not a business for them to follow when discharged. By

"remunerative," we mean that work that will produce a good return. There are trades or employments that are overdone, that conflict with the outside labor and that discourage the workman. There are certain employments that seem to be repeated and multiplied until there is an overstock, and hence but a poor return. There may be too many weavers, too many shoemakers, cane-seaters, etc. How shall this feature of prison management be improved? We reply: Let there be a Commission on Employment. First, see to it that every one shall be employed, invent employments, in case there are none requiring workmen or no demand for the work. Better destroy the product of labor than omit employing prisoners. Teach them some trade, but, best of all, instruct them in that which will command a paying price in the open market. A Commission on Employments could diversify the work, introduce new and good paying trades, and with the advice and co-operation of the Warden, adapt certain work to certain capacities and tastes. This is an important adjunct to the separate and individual system.

We would relieve the Warden of some of his many duties by giving him assistance. As it is, we have marvelled at the responsibility and the multiplicity of duties devolving upon the Warden of our penal institutions. He has not only to prevent escapes, but must preserve order, insure cleanliness, secure health, promote reform, and contribute to the general welfare of the prisoner and the community. To be an efficient and successful Warden requires the possession of remarkable ability. He has to examine each person received, study his character, see what he is qualified for, and treat him accordingly.

He must care for the sanitary condition of each, and provide suitable food, and arrange for some proper change of diet. He buys the food, he disposes of the proceeds of the labor, he keeps the money of prisoners, has some oversight of clothing, and some direction as to employment of each prisoner. Here is a position that is financial, physiological,

commercial, almost parental, and certainly in the highest order religious.

- Mr. Cassidy not only performs all these requirements, but he keeps a friendly hold upon prisoners who, after discharge, write to him or visit him, sometimes for his aid and advice and sometimes to acknowledge their gratitude. He believes in retaining such a correspondence and acquaintance, and therefore replies to all such letters. For instance: Recently a man having served six years went out, the Warden offering him impressive advice; asked for a correspondence and gave him aid through the generosity of one of the Inspectors. This man went West, found employment and followed the advice of the Warden and of the Prison Society. He recently wrote: "I am engaged on a responsible piece of work, involving over \$10,000 and I shall be paid for my labor very handsomely. I am following the trade I learned, and desire to thank all who aided me, and especially am I grateful for the parting advice and kind words of the Warden, which I shall not forget and shall carry out." Few persons comprehend the diversified requirements of a Warden and fully appreciate one who is really competent for the responsible position he holds.

The admirable management of the Women's Departments, in the Eastern Penitentiary and in Moyamensing Prison, under competent matrons, is worthy of commendation. The order and cleanliness are excellent, and the results are manifested in the comparatively few re-commitments. In the former there has been not over two returned the second time in a period of twelve years. The secret of the discipline is to awaken in the prisoners the highest type of self-respect and to develop the true womanly nature. To do this there is nothing imposed upon such prisoners that will demean them or sink them still lower. They are visited by kind and competent women, who without compromising the crime, do all in their power to reform the criminal.

In glaring contrast is a report from the Russian prisons, in

particular the Troublelskoi Bastion at St. Petersburg. It describes "the harrowing treatment received by the prisoners, and says their food is often mouldy and sometimes putrid. Those who are deranged, and they are many, are strapped down and whipped with the knout. Fierce yells resound through the night. The women are especially shamefully treated. One with a babe was obliged to fight night and day to prevent the rats devouring her child. The use of combs and soap is forbidden, hence the women with long hair suffer greatly." The report appeals "to the civilized world in behalf of the women in this prison." May the International Prison Congresses examine and correct these abuses.

It is gratifying to turn from this report and to quote another received from Belgium, where the system of keeping prisoners separate is absolute:

"The gaols to be seen in the chief town of each province, and the larger penitentiaries of Ghent and Louvain, which are used for convicts under sentences of penal servitude, are structurally almost perfect. Belgium was one of the first nations to adopt the cellular, silent system; and it has remained foremost in trying new suggestions for the treatment of prisoners; so that, although the prisons are under State control, they are not all managed in the same way. Something like uniformity, however, is being attained, owing to an accidental circumstance. Some years ago a law was passed enabling convicts under sentence of penal servitude to choose between solitary confinement and labor in common. Those who chose solitary confinement were to obtain *de facto* a reduction of punishment, which was to vary according to the length of sentence, the minimum being one-fifth of the whole term. As a result, all the convicts chose solitude; and the workshops would have been closed had not the doctors interposed to restore the common system in favor of prisoners who have been ten years in cellular confinement. There is no penal labor such as the crank or treadmill in England. All the work done is paid for, and the prisoners who are employed as gaol servants in the kitchen, bake-house or laundry get at least 25 centimes a day. Order is preserved without corporal punishment, and even the dark cells are seldom used. The most effective punishments are found to be a deprivation of work and interdiction from the canteen. The prisoner who does no work gets no pay.

The guillotine has been virtually abolished in Belgium by the de-

termination of the king to sign no death warrants. The prisoners' cells are comfortable, and care is taken to enliven them as much as possible by religious pictures, texts and pictorial fables, which are hung on the walls and renewed from week to week. Every prison has its library, which is not, as in England, under the exclusive supervision of the chaplain, but under the governor's, and is always provided with books of the best kind suited to readers of every scale of intelligence. A prisoner need not receive religious books nor see the chaplain, nor attend chapel, unless he pleases; he is bound, however, to receive instruction of some sort, unless he happens to be very highly educated. The dietary is ample and good. Each prisoner has twenty ounces of bread a day, a bowl of coffee in the morning, a quart of soup and a pound of potatoes at midday, and a quart either of soup or of vegetables, such as beans, peas or lentils, in the evening. On two days a week five ounces of meat are given in place of soup at midday.

We have not space to continue these contrasts and analogies with our Pennsylvania system, so far as we would like. We, however, must notice another phase of the treatment of criminals: The "Siberian horrors," as they may be called. Think of having women and men marched 3,000 to 5,000 miles to the mines. Exile and transportation have their uses and may perhaps be wisely employed under certain circumstances, but it is cruelty to subject any human beings to the tortures of Siberian treatment and exile. Let the thought of Rev. Richard Hooker, D. D., more and more prevail. "If we did not commit the sins which daily and hourly, in deed, word or thought, we do commit; yet, in the good things we do, how many defects are there intermingled!"

There is required in all of criminal treatment, the first and most important element of self-purification and self-examination. If every one, and every State and Nation would consider the defects that belong to human nature, there would be the starting point for a higher plane of prison discipline, and there would be a change from the Siberian floggings, the placing of human beings in mines, breaking ore by hand year after year, hopelessly, aimlessly, shut out absolutely from all mankind except their wretched companions, and

never allowed to come to the surface except on the Emperor's birthday. The truth will assert itself, that because there are criminals, there is no license given to treat them in a criminal manner.

The same may be said of the flogging in English Prisons. We have an account of one young man who "broke down after the twentieth stroke, entreating for mercy. The whole of the punishment was, however, inflicted. He was removed to his cell crying bitterly, his back exhibiting marks of severe punishment." This is humiliating to all persons concerned. In the words of the *Economist* of New York: "The maxims of the civilization of our age and country are the maxims of humanity." "Stripes, tortures of every name, and whatever tends to destroy a man's self-respect, should be struck from the catalogue of disciplinary penalties." New York Prisons, at least three of them, should take this excellent advice.

Among those deeply interested in Prison reform, we gratefully class the Howard Association of England. Its Secretary, William Tallack, London, is active and competent, and we are thankful for his frequent publications. His description of Perth Prison is very interesting. This prison seems very much like our Eastern Penitentiary. The system is separation. With 700 inmates he tells us there are ten teachers, three chaplains, two religious visitors, besides the Warden and other officers. It is required that the women be visited at least ten times daily.

As a little illustration of the kindly feeling prevalent amongst the officers, it was noticed that a robin had built its nest in the Chaplain's pulpit, under his reading-desk. Whilst the bird was sitting, the Chaplain conducted the service outside his pulpit.

Mr. Barclay said recently: "Don't omit in the annual report to commend the Howard Association." He added, "Mention also the able Inspector-General of Italy." "The Prisons of the Republic of France are under the direction of

the most eminent and influential statesmen and jurists of the Republic." "Recommend cumulative sentences." These remarks show that our venerable President, though prevented from attending our meetings from his advanced age, reads and appreciates all that is transpiring in relation to the great subject of his life.

We refer with pleasure to the efforts being made by the Howard Association to abolish the capital penalty. Well does it say: "The crime of murder is most efficiently held in restraint by the superior certainty, and therefore the greater deterrence of prolonged imprisonment, than by the capital penalty, with its special facilities for impeding and escaping the grasp of justice."

COUNTY PRISON.

A committee has been working during the year to secure a new County Prison, or at least some relief for its present over-crowded condition. We use the term "over-crowded," because it is the one in common use, but we must not forget that where more than one person is confined in a cell we regard it as "over-crowded," and to this we hold not only that it is breaking a sovereign law of our State, but seriously militating against our separate system.

This committee has been using its influence with City Councils and the public, and has been encouraged. We gratefully quote the action of the entire Board of Judges in this matter:

"To the Select and Common Councils of the City of Philadelphia.—Gentlemen: The present County Prison was built nearly fifty years ago, and has long been entirely inadequate to the needs of the city. The unavoidable result has been the crowding of two, three and sometimes more persons into cells intended and constructed for one.

"Irrespective of the cruelty thus practiced on prisoners untried, and perhaps innocent, the fact that this is in clear violation of law is of itself sufficient to call for prompt remedy. But, in addition to that, the evils of thus putting in close association, in enforced idleness, criminals of different ages, characters and degrees of depravity, cannot be

overstated. The weak are contaminated, the inexperienced are hardened, and the strong made reckless and defiant by the temptation to pose as heroes for their less resolute associates.

"These evils involved in the existing state of affairs have for years past been commented upon by Courts, Grand Juries and others concerned in the administration of the criminal law, and the undersigned Judges of Philadelphia, having observed with great satisfaction that the subject is now under consideration by your honorable bodies, desire to express their earnest conviction of the urgent necessity of action.

"J. I. Clark Hare, Joseph Allison, James T. Mitchell, W. S. Peirce, D. Newlin Fell, M. Russell Thayer, Craig Biddle, James R. Ludlow, Thomas D. Elcock, W. H. Yerkes, M. Arnold, T. K. Finletter.

"*Philadelphia, Dec. 22d, 1883.*"

Many important suggestions have been made by the Committee on the County Prison.

Eli M. Bruce has successfully introduced the organ and the singing of hymns on the first day of the week, the good results of which are manifest in many directions.

Charles Heritage, the Agent, reports as follows. His efforts are very valuable and few understand fully the amount of work he accomplishes :

In September, 1882, I was appointed to the position of Prison Agent made vacant by the decease of Mr. William J. Mullen, whose record will ever bear witness to his faithful sympathy for the unfortunates, and of his untiring energies in behalf of the thousands of prisoners relieved from incarceration through his instrumentality.

The whole number of prisoners relieved through my instrumentality to this date is 5435.

According to the estimate made by my predecessor, of the legal expenses that would have incurred had the cases gone before a Grand Jury, there was a saving to the city for each prisoner, a total of \$86,578.75 for a period of one year and four months, since my appointment as Agent.

The multiplicity of causes of incarceration among this large number of cases makes the Agent's work very diversified. Most of his labor is with the Magistrates who commit those arrested by the police, and by warrants sworn out in many cases for trifling and imaginary wrongs. Many also by the Courts, of those held for desertion or contempt and other legal causes ; some are also committed by the Coroner ; others

by the sheriff on *capias*, and some by the United States Marshal. All these are legal sources from which people are sent to prison, and each prisoner has an equal right to claim your Agent's careful attention and prudent action, for he has always had in view Rule 60 of County Prison Rules and Regulations, which says, "He (the Prison Agent) shall in seeking the relief of the innocent, be careful not to defeat the ends of justice." By this, he must be very careful that his interference for the prisoners in no way interferes with justice.

His duty is not over at the prison; he must also visit the families and friends of prisoners and their prosecutors or such other parties as may be required to corroborate prisoners' statements or give aid in their behalf. He must also write letters to such as he cannot see in person, and in many cases secure legal counsel, and when in some cases release of prisoners is secured by him, he must give them aid to reach their homes.

The following cases will give an idea of his work :

A young man came to this city well recommended from New York, took a position in a wholesale cloth house, but soon came in contact with bad company, from which he chose a companion who came near proving his ruin; after taking him to many places of bad repute, where they indulged in drinks, he took him to a billiard saloon, where some gentlemen were playing. He was induced to steal an overcoat that had been hung up by one of the players. After taking the coat and getting outside, he was at a loss what to do with it; realizing the fact that he had stolen it, it somewhat sobered him. The gentleman missed his coat, came out, and found it in his possession. He was arrested and sent to prison, where your Agent found him. After hearing his story, I induced him to plead guilty, which he did. I, in person, secured as witness for his former good character, his former employer, the Sunday-school teacher, and others. The prosecutor willing, the judge withheld sentence, and allowed your Agent to send this young man home to his uncle, as he has no parents.

A young woman was arrested for wearing jewelry belonging to her mistress, and sent to prison. I had a conversation with her and interceded for her; she said she did not intend to steal—she only wanted to make a fine appearance at a party. But it was missed before she got home; hence her arrest. It was her first offence, and she was released. Her mother being dead, she was sent to a home at the request of her father. But the girl has a year's seclusion, simply because she wanted to make a fine appearance.

A young man was brought in, and soon became unconscious. The doctor pronounced his case one of brain fever. Your Agent was

asked to notify his relatives, but where and how to find them was a problem left for me to solve. On application to the magistrate who committed him, I discovered who the officer was that made the arrest. Finding the officer, I learned a man at the station-house had recognized him and told the name of the man and the neighborhood where his mother lived. By the aid of the telegraph and the help of the officer, the mother was found and enabled to see her son before he died.

I secured the discharge of a woman who came to the city to do some shopping. She came in contact with bad company with whom she drank and soon became intoxicated. She was arrested and afterwards sent to prison. She had lost a great deal, and did not know who her companions were. These cases are numerous. There seems to be a system in it.

I found an elderly man in the cell, held for a breach of the peace. I learned from him that he was a sailor belonging to an English brig. His story of rough usage and of being put ashore at midnight, with the marks and scars he showed me, were more than sufficient to warrant my interference in his case. I at once notified the custom-house authorities, who joined me in seeing the British Consul, to whom I explained the condition of the man. I also called the attention of our doctor at the prison to the poor fellow's condition, who, after an examination, had him sent to the Prison Hospital. When I first called on the Consul, he said the man was a deserter, and ordered him back to the vessel; but on my informing him I thought the man both mentally and physically incapacitated for duty, and that I should ask our doctor to examine him, he acquiesced, and requested me to report the result to him, that he might act in the case as it deserved. I believe it would be inhuman to have sent this poor unfortunate stranger in his ship in the condition in which I found him. He has since been removed from the prison to the Pennsylvania Hospital, by order of the British Consul.

Another case was of a young girl who came from the country. Having answered an advertisement, she obtained a place which proved to be among very bad people. A raid made by the police on the house brought this girl, among others, to prison. I heard her story, and after having it verified obtained her discharge, and procured what I could of her effects, some of which I found in pawn. I sent her home to her widowed mother, a penitent, and I trust determined to be a better girl.

Another was that of a boy only ten years of age, who was before the court and pleaded guilty of the charge of larceny of five plugs of tobacco, which he took from a railroad car. He had gone with other

boys into an open freight car, which was standing on a siding. The mother of the boy is a poor woman who depended on this boy's wages largely for her support. Your Agent presented these facts to the Judge, who on hearing them allowed the mother to take her son home, the court holding the bill over him in case he should repeat his offence.

Your Agent deeply regrets to report the decease of one of the faithful female co-workers among the female prisoners, Sister Charles, who after a short illness died on Christmas Eve. Your Agent feels it is due to her memory to say that she was an earnest and useful worker. Many a prisoner has received from her sympathy, tender care, and the best of advice in her labor of love and mercy.

The Agent of the Eastern Penitentiary has been faithfully employed. He especially visits those about to be discharged and endeavors to find employment for them. If they wish to leave the city he procures tickets for them and accompanies them to the depots and sees to their general welfare. He has facilities for finding them good boarding, and aids them in various ways. It is surprising how much is required and how versatile are his duties. The knowledge of character has to be very acute and the decision and judgment very fully developed on the part of the agent. In 1883, 355 prisoners were discharged, nearly one each day. The Society furnishes the means for the agent to aid these persons. He has been unusually successful the past year, in finding places and forwarding the good work. A few illustrations will prove the value of this agency :

A prisoner from the city was convicted of larceny. He had been a soldier in our late war, and was wounded, and was drawing a pension. Before he was convicted he pawned his pension papers. He sent for me. He stated that it was about time for the money to be paid upon said papers and wished me to go to the pawnbroker and get said papers. I went. The pawnbroker acknowledged to having them but did not wish to give them up. I got an officer to assist me, and by paying a small amount of money, succeeded. The prisoner has since received his money upon said papers, and appears very grateful.

Another case was of a prisoner sent from Lebanon County. He was of unsound mind. He was much trouble to the Warden, he had no home, and it was plain to be seen that if he was turned loose, he

would soon become a charge upon the City. Lebanon County said he was not a resident of their County, and they refused to have anything to do with him. I took him to the Almshouse and arranged for said Lebanon County to be held for his keep.

There was a prisoner, a native of Belgium, who had five hundred dollars that came from his family. He got in with bad company, and stole some article and was sent to prison. I found that it was known by some sharpers that he was about to come out, and that he had this amount of money. I persuaded him to go to Camden, N. J. I there procured a room for him until he could get passage home, and thus saved him and his money. He was very thankful for what I did for him, and told me that he was a better and wiser man, and would try and do right hereafter.

Another case was that of a prisoner who was soon to be released. He had some property in Vineland, N. J., that I bought for him some few years ago. I looked after it for him, and saved it for his family.

Those who have been discharged during the past year, have come out with unexceptionably good health, and they all speak highly of the Officers at the Penitentiary, and especially so of the Warden, and Physician. From quite a number of those who left us (discharged) I frequently hear by letter and otherwise of their doing well.

This reference to Dr. Wm. Duffield Robinson is well deserved. He is very attentive and especially favored to meet the peculiarities of each patient. He answers every call and does not show any feeling of displeasure when, as is frequently the case, he is imposed upon. His average is thirty patients per day, some calling for him twenty-five times per month, and often for mere excuses and whims.

It will be evident from the preceding pages that, with all the care bestowed upon the prisoner, there is needed one more feature to perfect the system. That "one thing" needful is, some plan whereby those prisoners who are discharged shall have that care and aid which, while they are freely and cordially bestowed, will not subject the recipient to exposure or give the discharged the opportunity at least of knowing fellow criminals.

At the time of discharge the need is felt for a place to which the discharged can go, if indeed he has no home, or no friends or relatives by whom he will be,

if not welcomed, at least received. Not only this, but employment must be secured. It may seem an anomaly, but it is nevertheless true, that while the law commits "to labor," it is labor or employment that will prevent oftentimes any commitment or cause for such. What to do, where to go, and how to apply. These are difficulties. We have found the sequel in part. Aim to make those discharged, employers instead of employees. Set up such in business. Then, they are not subjected to the searching inquiries, Where did you work last? What is your trade? Who are your references? all of which are difficult questions to answer, and too often tempt to untruth. We therefore prefer to find them tools, or the means for working. Our Committee on Employments sometimes take them into their own employ for awhile, and thus secure for them a reference, and, indeed, test their sincerity and ability.

It is no small part of the work to find situations and employment, that the temptation to return to lives of crime may be averted. It may be said that this is the most important part of prison work, and yet it is work, after the prison has done all it can. The Committee recently appointed to this duty is very active, and already with very happy results. The next year's report will be full of interest, and we think will surprise even ourselves.

True, there has been a neglect to attend to discharged prisoners, but that neglect has come from want of means and a lack of knowledge. It remains one of the most difficult of subjects, but we think the plan to which we have barely referred, will solve it. The separate system of the State of Pennsylvania presents some difficulties when that time comes for the care of the discharged; the plan must be carried out of not allowing each other to be known, and yet this difficulty is being met by judicious management.

In New York a good work is being done by the House of Industry and Refuge for discharged convicts, at No. 40 East Houston street. It was started four

years ago by Michael Dunn, who had spent 25 of the 52 years of his life in 11 prisons, and was thrown in jail before he was 12 years old. Mr. Dunn was converted in Jerry McAuley's Water street Mission, and immediately turned his attention toward helping discharged prisoners to a life of honesty and giving them a fresh start in the world. During the past four years of its existence 1,001 men have been cared for and set to work in the Home. Of these, 541 obtained employment afterwards outside, 151 becoming clerks, 152 sailors, and 143 mechanics. Others became day laborers. Last year \$12,786 were received from the work of those employed in the Home, the main business carried on being the making of brooms and mats. There was received from private gifts \$6,993.25. The house and lot in Houston street cost \$28,000, and is considered a good investment. One man said that he had been in 15 different prisons, spending 82 years within their walls. Six weeks ago he had gone to Mike Dunn, whom he had known in his prison life, and now he was striving to live a Christian life. Another said he had seen the day when Mike Dunn had 13 men in his Home, without 13 ounces of bread in the house. Others told how they had been spared from a life of continued sin and kept from drinking "through the grace of God" in Mike Dunn's House of Refuge.

We trust this account will stimulate others, and that there will be means placed at our disposal, so that we can work out this important part of the great reformation required.

In the course of our visits at the Eastern Penitentiary, we found these thoughts written on a fly leaf by one of the prisoners, who had been twice incarcerated, and for long terms. We quote his language: "Many have been the comments by the press and well intentioned persons on the too often re-convictions of liberated prisoners, and yet how few of those persons know that the liberated prisoner is often induced to commit crime as the last resource. The following facts may account for so many re-convictions. Let us take a prisoner

on the expiration of his sentence. If he be friendless or relationless, as the majority are, for, although some of them may have old homes, they are often the last place they will seek, they start off with the \$5 received from the institution, and are cast adrift on a great city. People will say, *Go to work!* We may ask these same advisers, Where shall we go? Will *they* give work to a liberated convict? Remember there may be thousands who have been seeking work for weeks, and do those persons expect the convict to be more fortunate than those who are without any stigma? As a general thing some necessary articles of clothing will be required. A person coming out from close confinement will be unable to bear the changes of weather. He will have to spend something for these articles. This reduces his small stock of money. What shall he do with the rest? Pay every cent to a respectable boarding-house? He cannot do that, for two reasons: the one, he may not have enough for a week's board, the other, no sensible man will pay away the last cent of money he has in the world and trust to fortune for his future needs. The only resource left to him will be to seek a home among the lowest, because the cheapest, lodging-houses and eat his meals wherever he can, the surest way everybody knows to ruin, as those places are frequented by the worst characters in the city." Again he says: "Most likely many philanthropists have wondered at the growing and spreading influence of crime. From personal observation and from being one of the unfortunate ones, I would point out a solution and suggest how many a young man may be saved. First of all you must try and reclaim some old criminal, and for every one of those brought back to the path of honesty and virtue there shall be two saved."

This prisoner is firmly impressed with the value of the separate system, of kind yet firm treatment, and of discrimination as to the term of imprisonment; that term to be a matter of consideration *after* commitment rather than before,

With the view of obtaining and imparting knowledge, the

Philadelphia Society for alleviating the miseries of Public Prisons, appointed the following as a Committee to attend the Tenth Annual Session of the National Conference of Charities and Correction, at Louisville, Kentucky, September 24th to 28th, 1883: Dr. Charles E. Cadwalader, Alfred H. Love, Richard Vaux, Harriet H. Paist, James Saul, D. D., Horace W. Pitkin, Dr. James W. Walk, Samuel Jones. We prepared an address which was presented. Dr. Chas. E. Cadwalader, Dr. Jas. W. Walk, Richard Vaux and Mrs. Harriet W. Paist attended, and were deeply interested:

Some two hundred delegates besides those from Kentucky attended.

Addresses of welcome were made by Mayor Jacob, Gov. Knott, and Senator Williams, which were responded to by Messrs. Sanborn, of Massachusetts, Vaux of Pennsylvania, Mills of North Carolina, and Knapp, of Florida. Z. R. Brockway, of Elmira, spoke on Prison Discipline, and was followed by Gov. Blackburn, of Kentucky, Mr. Wilson, of Missouri, Judge Young, of the Supreme Court of Minnesota, on the Reformatory idea in Penal Treatment; by Miss Hall, of the Women's Prison, at Adrian, Michigan, on the Reformation of Criminal Girls; by Miss Mosher, formerly of the Women's Prison at Sherborne, Massachusetts, on Discipline in Prisons; by Gen. Brinkerhoff, of Ohio, on what he called "Post-Penitentiary Treatment of Criminals," that is to say, on police supervision of prisoners after their discharge; and by Judge Henry, of the Supreme Court of Missouri, on Aid to Discharged Criminals; Gen. Taylor, (a nephew of President Taylor) chief of police in the city of Louisville, Dr. Morris of Baltimore, Dr. Cadwalader and Richard Vaux of Philadelphia, Mrs. Cobb, of Milwaukee, Mrs. Beveridge, of Chicago; Dr. Wines, of Illinois, and George W. Cable, of New Orleans. Dr. F. H. Wines referred to the duty of the organization to exert an influence on the legislation of the country. Mr. Cable read his carefully prepared attack upon the lessee prison system as administered at the South. For more than two hours he held his audience as if under a spell, while he quoted from the official reports of Southern prison officers and lessees, and drew from them inferences which, if they bear the test of examination, must, when they attract the notice of the Southern people, result in the abolition of the abuses which he depicted. When he took his seat, no one offered any defence of the system, but Gen. Anderson, of Kentucky, denounced the wrongs perpetrated under it.

Attention was given to other subjects, viz., Charities, the insane, the children, etc. A committee was appointed to take suitable action respecting the International Penitentiary Congress, which has been called to meet next October, in the city of Rome.

KEEP DISCHARGES QUIET!

We have been surprised and annoyed, and we may say, circumvented, by the press of our city, giving publicity to the time when notorious convicts will be discharged. The impropriety of this is especially evident where the separate system prevails, for it undoes the secrecy that is so essential to reform. By it old crimes are recounted and former and dangerous comrades watch the time and actually await the discharged at the door of the Penitentiary, and there endeavor to entice them from the care of our Agent.

We believe measures have been taken to prevent these publications.

The value of the Visiting Committee and Agency is forcibly shown by the following account of one who was convicted, and soon after found innocent, and through these agencies restored to his family. We give the account in his own language:

"From the bottom of my heart, morning, noon and night, I pray God to shower his choicest blessings upon the Visiting Committee.

"Had it not been for the disinterested humanity of the Committee, I, a stranger in blood to all of them, would have unjustly languished in a felon's cell, and an inoffensive family been ruined and made to suffer untold agony for a year.

"As far as money-matters go, I am a poor man. I am, however, industrious—which fact was sworn to in court by officials of the Philadelphia and Reading Railroad Company. For years I have faithfully served that corporation, and was duly restored to my old position as soon as I regained my liberty—where I am now at work.

"I had no means with which to pay counsel and engage detectives to hunt up the records of the witnesses who falsely testified against me. A New York lawyer and ex-Governor Hoyt listened to my wife's truthful statement, and both of them, fully convinced of my entire innocence, voluntarily undertook to defend me in court. They did

so, without fee or reward; but, as I could not confront my accusers, I was unrighteously convicted.

"Neither ex-Governor Hoyt nor Andrew N. Rankin, Esq., could have been hired to go into the Quarter Sessions Court for general practice. It was their first appearance there. Humanity alone prompted them to defend an innocent man. Had the Pennsylvania laws permitted my wife to testify, I would have been promptly acquitted.

"There I was, with that which I highly prized in life—my good name—ruthlessly crushed. I felt the earth itself crumbling from beneath my feet. In my sad, helpless condition, I shrieked aloud a prayer to the God of the unfortunate, and brought down upon my defenceless head the scorn of the multitude.

"After I was sent to prison, two members of the Visiting Committee—Messrs. Erickson and Woolman—visited my wife, and heard her simple, truthful story. They both, thereby, became fully convinced of my entire innocence. Spending their own money, they exerted themselves to secure the release of one whom they felt to be unjustly held in confinement. Through their efforts, there was enough testimony secured to insure me another trial."

PUBLIC MEETINGS.

A system has been inaugurated of holding occasionally public meetings, that the work of the Prison Society may be better understood.

On the 18th of December the Olivet Presbyterian Church was freely opened for us. The pastor, Rev. L. Y. Graham, offered prayer and read appropriate passages from the Scriptures.

The Secretary read the following letter from the President, James J. Barclay, as explanatory of his absence:

"My health is so entirely broken that I can very rarely go out in the evening, and I am now suffering from two falls, that I walk with difficulty. It will therefore be out of my power to attend the public meeting. You will no doubt be prepared to make all the necessary arrangements. My best wishes for you and our noble Society."

Caleb J. Milne, the Vice-President, took the chair and made excellent and appropriate remarks.

Alfred H. Love, after thanking the church for opening their place of worship for the meeting, referred to his experience of nearly 30 years as a member of the Prison Society, during which he had made 10,800 visits to prisoners in the cells and at the cell doors of the Eastern Penitentiary.

The system observed in the Penitentiary is now one of premiums rather than of penalties. We have passed from the era of the chain gang, where prisoners worked publicly, subject to the jeers of the heartless and the missiles of boys; from that of the douche-bath, employed to make men work. In my long experience in visiting among them, I have never found one without some good impulses.

The principle is maintained that prisoners have rights and responsibilities. Mottoes of their own drawing are sometimes found on the cell walls, such as, "*Humanum est errare*," "Cease to do evil, Learn to do well," "Put your trust in God," "I being judged, still enjoy the present day," etc.

The separate system keeps the prisoners from the public gaze. It is their protection. No one recognizes them, after their release, as prisoners. They can begin an honorable life without much danger of being pulled down at once by public stigma.

I want to have done with all time sentences. Don't let the judge turn to his law book to find the period for imprisonment, but let him look to the prisoner for it. Send him to prison for reformation, subject to discharge at the judgment of a commission, whenever it seems well for him and for society that he should be set free. When sentenced for ten years and reformed in four, of what use are the next six years to him or to the world, in prison? When he is diligent, sincere, found in prayer and reading with unmistakable signs of a changed disposition, what business has he in the prison then? There is no mawkish sentimentality in this. But if quite another feeling is manifested in the convict, such as that he will have his revenge when released, or will make some one answer for his imprisonment, such a one is not in condition to come out, though his legal term of imprisonment has expired. Who would give medicine for ten years to a patient when he is cured? And who would stop the remedy when the patient has not recovered?

Have *women* appointed at our different police stations to examine arrested women. The degrading effects of such examinations made by men is too obvious for comment.

Never should a woman or man be hustled off to the police station in an open wagon or push cart, in public disgrace, but an ambulance should be used. Build prisons one story high; none two, three and four stories, to save expense. Give little gardens to cultivate, it will be a ministry of good to the inmates. The unfolding plant or leaf, the tender grace of our Father's working in nature, will be a benediction to their spirits. All elevation of fellow men is reactionary upon ourselves; it comes back to us an hundred-fold.

Charles Heritage, Agent for the County Prison, said that this

agency had saved the city \$650,000, in the expense of prisoners who otherwise would have remained in unjust confinement at public cost. The remarks of Mr. Heritage were principally confined to the duties of every day, as a fair specimen of what a Prison Agent had to do in settling cases between accuser and accused after imprisonment, and in repairing palpable injustice, procuring situations to the discharged, sending them to their distant homes, or getting needed clothing and other necessary things by the aid of the Prison Society.

Dr. Wayland Hoyt, pastor of the Memorial Baptist Church, followed in a very effective address, commenting on the difference between Christian and Pagan civilization, as regards the principle of love. The Pagan god, and accordingly men, having a heart of indifference to human woes; and the spirit of the Saviour giving men a heart to bear one another's burdens, and so fulfil his law. The structural power which explains the existence of the Eastern Penitentiary and of this Prison Society, is the Christian religion. Hope in the prisoner's heart cannot be better fostered than by the system followed by this Society, telling him somebody cares for him. At that most critical point when the prisoner comes forth again into the world, the Society offers such aid as will tide him over the gulf. Eighty per cent. of first offenders never come back. "You and I are more responsible for the presence of those in that prison yonder than we are apt to think. They are there because of the liquor business which we license. If we would rise in the might of our public opinion and *stop that*, our prisons would be far too large for the number of their inmates. Charge \$5,000 for a license—we could *execute* that law. Those bound to sell the wet damnation should be made to pay for the prisons."

E. M. Bruce related interesting incidents of visiting prisons and aiding discharged prisoners. He had introduced organs, that the prisoners might be benefited by music, and he explained how the organs had opened the way to their hearts to give them the messages which he had to speak. He testified to the stream of living death which poured into the prisons from the saloons. Also, to cases on his hands urgently needing situations, the very frequent alternative of a released prisoner being to steal or starve.

Impressive remarks were also made by J. Y. Ashton, Moral Instructor to the Penitentiary: followed by interesting speeches by Councilman Walter and John M. Spear. Excellent music was furnished by the choirs that visit the County Prison and the Eastern Penitentiary.

It is our sad duty to present a record of our deceased members.

WILLIAM S. PEROT.

At a meeting of the Acting Committee, Third mo. 15th, 1888, Alfred H. Love said:

"In the close of the life of our revered and venerable friend and officer, William Sansom Perot, which occurred on the 14th inst. we have lost one of our oldest and most sincerely attached coadjutors.

"Born in 1801, he filled with the highest credit to himself and the public, positions in the City Council, School Board, and others of honor and trust.

"Language fails before facts, when we would represent how devotedly his life was dedicated to the cause of the prisoner. We may repeat and emphasize the record of his long and faithful visitation at the County Prison and his regular presence at the meetings of the Prison Society, but it would not convey his devotion to this great reform, as well or as fully, as to recall his oft-expressed regret even unto that sorrow which was marked by emotion, because the infirmities of age and the inroads of disease prevented the continuance of his duties and the pleasure of mingling among us.

"Alike from his presence and from his absence therefore, we can testify to his attachment to this cause, and be encouraged to additional faithfulness and intensify the lesson to attend to our appointments and to 'work while it is day,' for as was illustrated in this beautifully rounded life of dedication to humanity, 'the night cometh when no man can work.'

"He was truly an apostle of faithfulness, whether in the business relations of life, in his family, in the trusts to which he was called, or in the philanthropic labors to which he voluntarily gave such portion of his time as could be so contributed.

"His last visit to our meetings was attended with difficulty and almost in direct opposition to his physician and his family.

"He filled the office of first President for many years, and at the last annual meeting of the Society, less than two months ago, he was unanimously placed on the Honorary list.

"He prized his membership and position among us perhaps more highly than any one ever connected with the Society, not so much because of the honor of the old associations, but because of the good he felt was being done by the Society, and for the reason that it expressed a deeply implanted sentiment of his nature that the human being who has been led astray by weakness, needs more than any one

else, the strength of the stronger, and that by individual and separate treatment the good in every one may be brought out and utilized for developing the manhood and womanhood of the being 'created in the image of God.'

"We shall remember him as one who held firmly to principle and maintained the saving virtues of an upright life, proving by a practical testimony, 'we that are strong ought to bear the infirmities of the weak.'"

THOMAS C. GARDEN.

From the Secretary's minutes we abstract the following well-merited tribute to the memory of Thomas C. Garden:

Resolved, That the Secretary convey to the family our appreciation of the usefulness of Thomas C. Garden as a visitor at the Eastern Penitentiary. He was modest and unassuming—deeply interested in the welfare of the prisoners—faithfully endeavoring to perform his duty and earnestly persuading them to lead a better life.

THEODORE TREWENDT.

Alfred H. Love presented the following memorial of Theodore Trewendt:

"As the year draws to a close and the nights lengthen, and we are about to present our annual record, we are not permitted to complete the volume without one more page of sadness.

"And yet, with all the brightness that surrounds the character of Theodore Trewendt, the day light of his life seems to dispel the gloom that deepens, as we announce that our attached friend and earnest co-laborer passed from this life of active benevolence on the 12th inst., in the 73d year of his age, honored and esteemed. 'All his works were done in truth,' and surely 'they shall follow him.'

"Theodore Trewendt was for many years one of the most faithful visitors at the Eastern Penitentiary. Gifted with the mastery of several languages, he had the advantage of being able to converse with the foreign inmates of the Penitentiary, especially the Germans, who could not converse freely in English. These, numbering about 100, requiring very close attention, drew him tenderly to them, to teach not only our language, but that higher dialect of truth and righteousness that knows only the one tongue of love to God and love to man. He took with him to the prison-cell that 'talent' which he carried everywhere—a pure and upright character, a dignified manhood and 'an unfaltering trust.'

"Good words are always messengers of comfort and encouragement to the prisoner, but when supplemented with a strong magnetic character, such as graced our friend, and it comes in contact with conditions that are lower and darkened, there is a manifest awakening to a new life, with kindred aspirations and resolutions.

"The loss we sustain will be shared by the officers of the institution and by many appreciative prisoners. We will be impressed to labor more faithfully, as the best tribute to his memory, and they will be moved to recall his profound instruction and earnest pleadings, to fulfil his injunctions and to emulate his example.

"Well may we rejoice in his beneficent and exemplary life, and feel the richer because he was numbered among us. With such feelings and with such a record, we sincerely convey to his family our appreciation and sympathy, and will ever cherish him as one 'on whose head the anointing oil was poured.'"

CONGREGATE-CONTRACT-CONVICT-LABOR IN PRISONS.

Within the past year the attention of the Legislatures of Pennsylvania and New York, New Jersey and Ohio has been directed to the subject of the contract-labor of convicts in the prisons of these States.

It is a most gratifying reflection, that after years of efforts to reform so singularly bad a system of punishment for convicts, at last a decided movement has been made to eradicate it out of the methods adopted for prison management.

In New York State the question was submitted to the vote of the electors, and by a most decided majority they condemned it as alike unjust to the prisoners and unwise as a policy of the State.

Whatever other reasons may have actuated the majority in New York State, convict-contract-labor in prisons is forbidden.

In Pennsylvania the Legislature enacted a law making this method no longer lawful.

This Journal has been the pioneer in efforts to reach this result. Its pages will attest how earnestly it has striven to show that the sale of the convict to the highest bidder for his toil, while in prison, was subjecting each individual so sold, to labor only as the sole punishment for his crime. It went further, and sought to prove that congregating prisoners so sold, in shops, to be worked for the benefit of their buyer, that he might make the profit, and the State get the cost of the convict's keep, was in no sense a punishment for crime.

It made the convict a machine; degraded him by association with convicts; repressed any serious desire to reform; organized the elements of a crime-class; cost the State far more, very much more, than it gained; hardened the man and released him on the expiration of his term worse than at first.

The theory of self-supporting prisons on this system has not been proved in practice, if a careful and thorough examination is made of the profit and loss to society.

The Secretary of the New York City Prison Society, Mr. Round, in a very able address made by him last month, proves, we think, that "paying prisons" are not common, however plausible their promise. We have but little hesitation in stating that it is a false economy which receives forty cents a day for the labor of convicts, who, after release from prison, preying on the community, cost in loss of property to the citizens and expense of civil administration to the people, in courts, police and preventive and detective agencies, hundreds of dollars a year. The primary cause of much of this cost and mischief lies in the congregation of convicts while in prison. Association is the bane of congregate systems of convict prisons.

The young, the first offender, the crime-class convict, the debased and degraded, and the untrained and untutored in crime, associating together, are morally, socially and individually brought down to the lowest standard of the whole. It is common sense so to believe. It is the practical result of a weak moral nature, subjected to such influences. It is the experience of those who have thought over the subject with some opportunities to observe.

No one can doubt, who has these opportunities, that the bad are powerful to corrupt. There are in every prison some very bad men. Bad by nature, by moral organization, inheriting vicious and degraded dispositions. There are others who, for want of proper training and home government while young, have learned in corrupting associations the ways of wickedness and the tendency to crime.

There are others who in a moment of temptation have yielded to the seductive influences to commit offences—wrong-doing, without enough self-control to resist. Is it wise to congregate these persons, and subject them to the average influences which come out of such individual characteristics? Can good result? Does it happen that reform follows the first sentiment of remorse? Is it not known that in a large majority of convicts, first sentenced for first offences, that remorse commands their attention, if even for a short time, while they are in prison? This is the first impression after imprisonment. How, then, can such be properly treated while under the operation of regrets for their conduct while they are surrounded by men who have

no such feelings, but who rather pride themselves on being too brave to yield to the voice of remonstrance, which the human heart will address to the most ordinary intelligence?

It is against this that we have to speak, to protest. It is the system that is vicious. The results of its operation must of very necessity be injurious, both to the convict and to society. Why argue out deductions from a self-evident proposition? Is it not known of all thinking men that evil association corrupts? Did it ever elevate the character of the associates? True, it may be that now and then some so surrounded are checked in their career of vice, as "brands from the burning," and go to better ways, but that is not of mere human power.

The association of prisoners while in prison is the peril of a system which permits it to be so. We know that the separation of such prisoners, while under sentence to incarceration for crime, is hardly possible in the State prisons, built on the plan of paying or self-supporting institutions. The cells in which prisoners in these places are confined, only at night, are unfit even for sleeping rooms. To retain a man in one of these rooms for any lengthened period would be an outrage on common sense. But the specious pretext of self-supporting, paying, profit-making prisons, has cost the tax-payer thousands of dollars, ay, hundreds of thousands of dollars, for which no real, substantial, practical return has been given.

The buildings which constitute these prisons are unfit for any other use than that to which they are now devoted,—the congregating all convicts in workshops by day, a manufactory simply, and cells for sleeping separately at night; great manufacturing establishments, in which the laborer is a convict, who is bought by the contractor, to make him rich, without costing the State for the bread and meat which the convict eats.

Truly this is a terrible picture for the consideration of an enlightened *Christian*, civilized people. And, this too, made the more revolting, because the claim for its existence rests solely, only, entirely, on the sordid, selfish, plausible, mercenary assumption "*that it pays*."

And yet the Federal Administration of Justice, in its Department at Washington, eagerly seizes on this plan to save a few cents a year, while millions of dollars are appropriated for public service.

Yes, believe it who can, United States prisoners are taken from many States, hundred of miles from their homes, their families, their friends, to be incarcerated in prisons, the authorities of which pay the charge of transportation of these prisoners two, three, four hundred miles, in order to get the keeping of them in these manufactories, these congregate-contract-convict prisons. Yes—and these prison authorities do

all this, free of cost to the United States, because these convicts are sold to contractors who, because of the profits they make out of this slave-labor of white citizens of other States, can afford to secure their possession and thus to buy their laborers. The boasted humanitarianism of New England is deaf, dumb and blind to this evil. No voice of condemnation is raised against it in the pulpits, or lecture rooms, or libraries, or in the public press of the emporium of *isms*. It *PAYS*; why condemn a profit-making speculation if it be in the purchase of convict labor? So long, therefore, as congregating convicts at profit-making labor while in prison, for the avowed purpose of punishment for crime is permitted, just so long these prisons will also be manufacturing for criminals.

How to avoid it, under the present architectural plan of congregate prisons, is a very serious question.

It must be answered. The increasing interest manifested in prison discipline will yet demand full examination of the subject. When the results of this investigation are made known to the scientist, and the thoughtful men who are courageous enough to condemn what is now only supported because no remedy is suggested, and money-getting is involved, then and in the proximate future, too, the public will be better informed on the unwisdom of the congregate method. An effort should be made at once to meet the popular condemnation of the present contract convict-labor system.

Separation of each prisoner from every other prisoner, is the true teaching of a wise and philanthropic system for the punishment of crime; since imprisonment is only the condition in which such punishment can be applied.

It is not as yet possible, as we have said, to apply this system in the buildings used for congregate prisons.

How then to meet the difficulty requires much careful consideration.

It will be said that *classification* is the method of first impression, to classify the individual prisoners, and treat them in classes. This is possible. It is the most likely to be adopted because it is freer from obstacles, all things considered, in its administration. But, how classify—on what basis? The latent difficulty will be found in determining the basis on which this classification is to be based. Some may suggest age, some crime cause, some industrial aptitude, others length of sentence; each having a theory, and but few, very few, any knowledge or intelligent experience.

If classification is the best plan under the present conditions to be adopted for the reformed treatment of convicts under sentence for crime, to take the place of the congregate plan, then at once measures should be adopted to prepare for the administration of this system.

The first need is to secure competent, trained officers, who have been thoroughly tested as prison officials, who are competent to carry out the classification. It will not suffice to take a man from any private business, or even public employment, and entrust him with a duty of which he has not the least qualification. This is too plain to doubt. Experienced prison officials must be selected. How are they to be obtained?

When officers of the navy or army or professional men, or men employed in special vocations are needed, they are sought only where the supply is to be had, from those who have been educated, trained, served, as it were, an apprenticeship to the business or vocation.

So it must be with prison officials, you must educate them, train them, teach them, give them opportunities to learn their special vocation.

In the Eastern State Penitentiary a school has been in operation for some years, at which the prison officials are daily taught what their profession requires them to understand of their business. It is there at least made a vocation, a profession. This is the reason why the administration of that institution is as it is; so that if the proper training is given to those who are to classify the convicts under the classification plan, the first great obstacle to its operation is removed. But the basis is yet to be determined.

First offences of youth is plausible—but is it prudent? Crime-cause is suggested; that requires a thorough knowledge of each individual character. It is said crimes against persons and crimes against property should be the dividing line of separation. Crimes of education are regarded as so different from crimes of mere passion, that this might be determined as the principle. Yes, all these are worthy of careful analysis and earnest thought. The question recurs *who* is to decide when the basis is ascertained? It will be found that it is no easy matter to arrive at a final judgment on these questions. It is only now that these suggestions are made to indicate the reach of these questions involved in this idea of classification. The labor of these classes, when once made, or established, has to be considered. It will hardly be possible to work these *classes* in association in shops, on the contract profit-making plan, abolished as it has been by the public condemnation in two States at least.

Then, how are these *classes* to be supported? We hear a new device, a modern patent, called, as we hear, the "*piece-price-plan*." This is thought to be a new invention of great value. So it may be of value, but, as we are told, it has been the plan in the Eastern State Penitentiary for many years past. It is admirably adapted to the "Individual Treatment System of Punishment," as applied in that

institution. There it has been thoroughly tested, and it has been as thoroughly approved. That prison is not a profit-making, contract-labor establishment, and never was.

The subject that now excites deep interest is the true plan on which *classification of convicts* is to be made—if that is the reform which is to be established in those prisons from which the convict-contract-labor plan has been excluded.

We have noticed it here and now, because of its growing importance. It may be that some such method will be tried. In the belief that it may possibly be made valuable, under wise supervision and prudent testing at its inception, in those prisons now used for manufactories, we have presented some hints that may or may not be worthy of attention.

REFORMATORIES.

It has been accepted as a cardinal principle in these days of the study of punishment for crime, that indiscriminate association of young and old offenders is no longer to be tolerated.

In congregate prisons this is not yet the rule of their administration. Association being the basis of imprisonment, and the more association the more profit from associated labor, it is not often that earnest and effective efforts are made to separate the mass of prisoners, except as their labor capacities make it profitable.

To meet this dangerous condition in convict discipline, it is now claimed that *Reformatories* for young offenders are necessary. The aim of the advocates of these institutions is to collect the least, or the less hardened and degraded prisoners into a prison in which only so much prison is apparent as to incarcerate and restrain those in custody. Various devices have been annexed to these prisons, intended to give them a claim to the title of Reformatories.

It is association first; premiums for obedience to rules; rules that may be either wholly or partially impossible of results; training in subjection that is only subjection; tentative processes for reforming the inmates; competitive means tending to develop the character of the individual, are, in brief, and without elaboration, the foundation of these Reformatories. So long as association of these prisoners is the form on which the administration is placed, it is more than doubtful if any of the promised benefits can be assured; more than doubtful, and at least so. The error, we think, in this Reformatory System, is found in the fact that it includes adults. This, in our view, is a grave error. If it included only minors and first offences, better results might reasonably be attained.

If these minors were sent to an institution called a *trade-school*, where trade instruction and mental instruction and home-like training, and self reliance were given as benefits and advantages, a real progress would be reached. Place this school on a farm of two or three hundred acres, away from large populations, teach such as were competent to learn that for which capacities were manifest, abandon locks, bolts, bars and compulsory restraint, and the young first offender would indeed then be in a Reformatory.

A FRENCH CHARITY.

In the *Revue des Deux Mondes* for August 1st, 1883. M. Maxime Du Camp, a well-known contributor of useful information about Paris, adds a new chapter to his series of essays on the private charity of Paris. He describes the Orphanage at Auteuil for Apprentices, founded by Abbe Roussel. Much of his information is drawn from the official report on orphanages and other charitable institutions for children, made by M. Theophile Rousseau, to the French Senate, and published as part of its official transactions. There are in Paris 126 charities, where 10,000 children are cared for, instructed and taught some trade for their future support. Of these 31 belong to the Sisters of Saint Vincent de Paul, and of these 18 have incomes less than their receipts. Still, this is surely only an additional incentive to that liberal private assistance which always supplements deserving charity to poor children. The poor sick children cared for in many charities are no more in need of provision than those whose diseases, hereditary and acquired, are moral, whose taints are as well marked, and whose cases often puzzle the expert before he can ascertain which are curable, which hopeless and only on the road to worse crimes. The child that is strong in body and escapes the hospital so generously opened for its weak, crippled, scrofulous brother, may be on the downward path and pass with more or less speed, but equal certainty, from the policeman's pen, the station-house, the alderman's office, the county prison, the court of quarter sessions, the oyer and terminer, to the penitentiary, perhaps the scaffold.

Society, as it is organized, makes abundant provision for the punishment of crime, but little for its prevention by saving children from its grasp. The child arrested for its first offence may be ruined by being exposed to influences that will harden its nature and fasten on it forever the taint and stigma of crime; it may start as a little vagabond, it is certain to end as a professional criminal, unless some effective remedy can be provided suited to the care of each individual case in the way needed to rescue it from its surroundings. The prison

for children in Paris is noted for the destructive influence of its system, so that it has become notorious as the seed-ground for the inmates of the great prisons. Morally and physically, it is their ruin, and until it can be made to exercise both these agencies, beneficially instead of perniciously, upon its inmates, prison reform is hopeless. To take a child used to life in the open air, to the exercise of all its faculties in its struggle for existence, and to immure it within high walls, to prescribe a special task for every moment of its existence, is to fit it to be a recruit not for honest, manly, self-reliant, ambitious, individual improvement, but for the watchful sergeants of the depraved classes of the worst kind, always on the lookout for those of tender years, with sufficient instruction to be useful, and broken by discipline into submissive subjects. In France there are 100,000 little vagabonds who can, by wise treatment, be made good and useful citizens, and by injudicious discipline, can be fitted to swell the growing stream of vicious criminals that are already overtaking the police and filling to overflowing the prisons. Of the 126 establishments in Paris for the care of children only 18 are for boys. All the care possible is at hand for the girl who errs or is abandoned or needs protection, and this is given by the gentle hand of good women who devote their lives to the work. The poor boys are badly off in the struggle, and as their case is almost always given to men, who often tire of their task, and have little of the patience and endurance and gentle softness of women for the work, the boys soon find that the best thing for them to do is to go back to the streets and to learn to master some easy crime as a means of livelihood. It is only an occasional accident that reveals the man who has the genius that enables him to detect in each boy the latent spark that can be fanned into a flame, burning in the atmosphere of honesty, and neutralizing the natural tendency to crime and vice, surrenders to society a useful man instead of a criminal.

In Italy, Bosco founded in 1841 a Reformatory which in forty years sent out 80,000 boys to fight for honest living in the world. In Paris the Abbe Roussel began his work in 1865. Both started with a single boy, and both grew unconsciously to great proportions. In 1866 Roussel opened his house with the single purpose of making it a shelter for vagabond boys, who were to be taught reading, writing, arithmetic, and to be found work under good masters. He soon found it better to teach a few simple and elementary trades himself, and this was done at small expense in a very humble way. The war, which threatened his work with ruin by crowding his house and reducing his resources, really awakened the public to his asylum, with such energy that his debts were paid off and large provision made for its future support. At Auteuil, a village near Paris, a great establishment

has grown into proportions large enough for the successful working of this useful charity. The boys are roughly dressed, their play is rough, their work is rough, their lives are rough, but they are fitted by the discipline of the house to hold their own when they go out into the rough world. One hour of work and one of play are made to alternate, so that the boy, fresh from the vivacity of the streets of Paris, shall not be weary either of one or the other. The children admitted are only those that have been mere wanderers or disobedient. No children convicted of crime or sentenced by a court can be sent there. Of course, where the magistrates withhold the official conviction the child is taken in. Some children come voluntarily, for it is a refuge for those who prefer its discipline and regular routine of work and play and school and meals to the license of their wretched homes.

Paris has no official refuge for helpless poverty and childish misery. It only provides for convicted criminals and physical wretchedness. Some parents bring their children to the Home and pay from two to six dollars a month, but these cases are rare and seldom continuous. Still, this is not to be regretted, for the real mischief comes from the evil influences at the homes of children of the kind for which this Home is intended. The boy who is driven in the streets to be gotten rid of, is welcomed home only when he brings with him the price of his labor, be it honest or not; not being cared for, he is encouraged to crime as being more profitable than honest labor; he is spoiled by vicious example, driven by harsh treatment, alternating between drunken cruelty or still more mischievous drunken kindness; he sees vice on all sides, and is brought up in the presence of every violation of the laws of God and man; he is certainly better off under the care of philanthropic men than of those who are his natural protectors. Tender as is the law in its regard for the rights of parents, how far does it make provision to protect the young from the wrongs that are inflicted on them by those whose love is only less than that of the wild beast for its little ones, and far less kindly.

Roussel has cared for 6,000 children since 1865, and the best thing he has done is to teach them trades. He has improvised shops, he has set the boys to work gardening, tailoring, shoemaking, carpentering, blacksmithing, cooking, painting—all things that can be roughly learned and roughly carried on in and about the house. The great business of the house is printing, and with it the publication of two successful Children's Journals. These tasks are not given up because there is a loss on them, but all the more they are maintained as important educational work, done at far less cost and with far greater improvement to the boys than mere contract work or mere school instruction. The

whole expense of the House for 1882 was \$40,000, an average of 45 cents a day for each inmate. The best provision is made to secure wholesome living, by plain, simple food, plentiful bathing, three times a week in summer; and to meet this outlay there was a deficit of \$18,000 in 1882, which was met by special contributions. Eighty per cent. of the inmates are believed to have done well. The 20 per cent. that go astray are nearly all of those whose homes and home influences are so bad, that even the best intention of the boy to practice the good lessons he learned at the Orphanage, must fail before the example and compulsion, moral and physical, of those with whom he is forced to live. The presence of such parents in Paris, and their visits to the institution, often prevent it from doing that good which is plainly marked in the case of the little strangers, and those lucky enough to be deprived by nature or by accident of those whom the law calls and considers natural protectors. France is even now discussing the provisions of a law which will enable the judges to punish malefactors by depriving them of the control of their children.

The honest, successful, well-to-do workmen, who have grown to be such by reason of their training under Abbe Roussel, are his real agents in finding or making homes for his boys, where they can practice the trades they have learned and advance to new and more lucrative work. The growth of the institution has been steady, and it measures its results only by the success with which it can appeal to those who have gone out from it to help it, not with money, but with that which no money can supply—the means of getting homes and work for its successive recruits when they are ready to leave its sheltering care. Just as the great institutions for the deaf and dumb and for the blind, in Paris, started, each with its single inmate, so the Abbe Roussel began with trying to care for a little vagabond boy, and now has a great army that he can call his own. It is by such growth from humble beginnings that the great lesson is learned of what can be done by individual exertion and personal influence, which the State, with its boundless resources, cannot do. Great foundations, whether of corporations or of individuals bequeathing or bestowing large fortunes to be splendidly administered, rarely find the agents to execute exactly the work intended. Legislation may give large sums for buildings and salaries, but it can never create that enthusiasm which the individual founder and creator of a public charity knows how to inspire in every inmate and every officer. It is this that characterizes those institutions in France and elsewhere in which the personal impress of the first originator still remains fresh and vigorous and widens and grows with every new demand upon the workers on his foundation.

In striking contrast to this plain statement of the good work done by the Abbe Roussel, is a touching account of the regular official management of a bad boy at a government institution. M. André Theuriet, a well-known French novelist, prints in the *Revue des Deux Mondes* of the 15th of November a short story, in which he gives the contrast between life in the free, open, out-of-door, hard work of a shoemaker, and that of the same little lad, shut up in a House of Refuge, alternately rewarded and punished, utterly uncared for as far as his individual thoughts and likings are concerned, treated as a cipher in the great roll of the institution, left to learn every vice and crime on the calendar, so long as it is practiced in secret. Swift and severe treatment follows every movement that springs from boyish activity, curiosity or energy. Tale-bearing, servile readiness to anticipate the wishes of the officers put over him, mere mechanical compliance with the rules of the house, are the easy methods of earning rewards, far more demoralizing than sound and discriminating discipline. Born in shame, nurtured in misery, living by hard work, temptation in the way of an easy theft, led to arrest, conviction and sentence to a Reformatory; there, hard unceasing work, endless misery in prospect, the praise of comrades the reward of insubordination; an opportunity for escape the only gleam of light. A flight into the woods, a chance meeting with a tender friend, a home with work, the hope of a useful honest life, all this for a brief month; then re-arrest, more punishment, more threats, and at last death as a relief; such is the outline of a story which might well be profitably read by every philanthropist.

THE FRENCH PRISON SOCIETY.

The last number of the Journal of the French Prison Society opens with the report of its stated meeting. Of the documents acknowledged, there are Reports of the Philadelphia House of Refuge and of the Eastern Penitentiary, of the Conference of the Prison Associations at Madison, and of M. Meyrich's work on Prison Labor. Then there are also works on Female Prisons, on German Prisons, on those of Sweden, and on a variety of kindred topics. The subject for discussion was the care of discharged prisoners, and it was fully and thoroughly examined from the various points of view of a number of distinguished speakers. There was a general agreement that it would be desirable to establish colonies for their preparation for a return to their normal condition of freedom. The French Society determined to study the questions of Abolishing Short Term Sentences, and Cumulative Penalties for each repetition of crime, and to submit them to the Congress

about to be held in Rome. The articles contained in the body of the magazine are: 1st. A second part of the description of the Cellular Prison at Nuremberg. 2d. A translation by M. Maurice Haviland, of Observations on Crimes and Penalties in the United States, by Richard Vaux. 3d. The second part of a Report on Criminal Justice in France, full of instructive details and statistics. 4th. A description of Reform Schools and other Preventive Institutions, including those of Saint Eloi, of Orleans, and of Sainte Foy, in France, of the Michigan State Reformatory, of that of Indiana, of East Sussex, England, of Finland, of Denmark, of Switzerland and of Zurich. The French, too, have learned the advantage of the open system in Reform Schools. At St. Eloi, near Limoges, one of the two Reform Schools bearing that name in France, there are no walls; the yards are open, the children free, and everything is intended to take away any sense of prison discipline. The punishments consist of dry bread, arrest, close confinement, and as a last resort, a return to a prison. The children have a substantial reward in money prizes for good conduct, and an inducement to good conduct by being allowed to elect their monitors. Rising at four in the morning and going to bed at eight in the evening, there are six hours of school and six of work, characteristic of the hard lives common abroad. Noteworthy is the fact that the American Reformatories are on a much larger scale than those abroad, and are older and better organized. The local subdivisions in foreign countries, however, enable them to do their work thoroughly, and make it easy to follow and look after those who have gone out of their sheltering care. From Spain there is a letter from Mme. Arenal, on the subject of Prison Reform; from France, a Report on Re-commitments, with an earnest assurance by M. Charles Lucas, the writer, a well known authority, that the statistics of France for over fifty years, show that it holds its own for morals amongst its sister nations. Then come a description of the Penitentiary of Montenegro, and one of the Prisons in Finland, and brief mention of recent works on Prison Discipline and kindred topics, and of the progress of legislation in the direction of penal reform. The table of contents of a new Prison Journal for the North shows the growth of interest on the subject in Scandinavia. On this subject all countries have a living and growing sympathy.

ANOTHER INTERNATIONAL PRISON CONGRESS

Is to be held during the year 1884. The time is, we believe, in the early part of the coming winter, and the place selected is Rome.

When the first of these Prison Congresses was held in London it was a subject of high gratification to our Prison Society that its able and venerable President, the late Hon. Joseph R. Chandler, was a delegate. His character as a public man and a penologist gave great weight to his opinions, and honor to the constituency he represented.

It was our happiness to have heard from our cherished and esteemed friend his account of the proceedings of that meeting. We were unitedly of opinion that no really practical benefit grew out of its deliberations. It was not possible for the members of the Congress who thus met in London to formulate any teachings on convict punishment that were authority. The failure arose from a want of knowledge as to systems and their peculiar characteristics. So little was pretended to be known of "the individual treatment system" that it was new to a large number of the members of that Congress. True, in Belgium and France and parts of Germany an attempt had been made to carry out the *Cellular system*, as it was called. But there is so wide a difference between that plan and the "individual treatment system" that but little advance was made in trying to explain the latter. So, too, at Stockholm. In that Congress, it seems, from a report of a delegate sent from the State of Pennsylvania, theorists were ardent in expressing views that in themselves were of striking interest, yet no progress was made in the intelligent discussion of systems of punishment for convicts. Besides, it was apparent that local, governmental, legal, and social influences, operating in various countries, were impediments which prevented the calm philosophic discussion of any special system. It so soon became evident that these differences were irreconcilable. The thoughtful observer could reach no other conclusion.

So far as some of the United States were represented, it was not to be concealed that the Congregate system made earnest efforts for its laudation. At least the contract labor advocates did not appear willing that their plan should be too severely criticised.

A society of comparatively modern existence in a neighboring State had as its chief representative a very able man, who made the impress of his opinions on these Congresses.

Our old, venerable Society for "*Alleviating the Miseries of Public Prisons*," founded nearly a century ago, and having a continued existence in useful work ever since its formation, was, except by its

Vice President at the London Congress, hardly known as an agency in this great cause of Prison Reform.

The Federal Congress made an appropriation for the London meeting, at the instance, we believe, of the New York Society; and most likely another similar application will be made to the present Congress, for the Rome assembly. We do not feel at liberty to agree to this application, because it is partial and special. The New York Society really represents no general active constituency, except those who are on its roll as members.

Our venerable Society is entitled to be considered and, we venture to add, consulted on this subject. It is the advocate, and has been for half a century, of a system of convict punishment which demands recognition for its triumphal success. We assert, without fear of successful contradiction, that those reforms, and what of real progress have been accomplished in prison system of administration, and which are claimed to be of great value, were first introduced in our system without ostentation and without being heralded as new inventions. We think we are justified in saying that our system, so long maintained by our Prison Society, is to-day so far in advance of prison administration generally adopted as to make it worthy of the study of students and scientists as well as of States.

With these suggestions, we leave to the members of our Prison Society the question if it should not take some measures to make itself heard, and at least receive the respectful consideration of penologists.

Members Elected since July, 1864.

Elected.	Names.
February 16, 1865.	Dr. F. W. Lewis.
March 16, 1865.	H. H. Shillingford.
"	Francis Stokes.
June 15, 1865.	F. Mortimer Lewis.
September 22, 1865.	Wm. R. MacAdam.
November 16, 1865.	Augustus L. Kaub.
January 18, 1866.	John S. Higgins.
"	James F. Magee.
February 15, 1866.	William A. Duff.
April 19, 1866.	James A. McCrea, M.D.
"	Isaac Hazlehurst.
"	Alfred M. Collins.
"	Rev. Hare.
"	John Livezey.
May 17, 1866.	I. Kemp Bartlett.
"	Wm. M. Cornell.
"	Dr. A. L. Ellwyn.
"	Jeremiah Willits, Jr.
"	Hector McIntosh.
"	Henry Haines.
July 19, 1866.	Abraham Stine.
November 15, 1866.	Andrew M. Jones.
"	Lewis Conard.
January 17, 1867.	Adam Eckfeldt.
"	Robert McClintock.
"	George Morrison Coates.
February 21, 1867.	James Pollock.
March 21, 1867.	Joshua Paxson.
"	John A. Anderson.
"	Andrew Cather.
"	Wm. Henry Graff.
June 20, 1867.	A. Jackson Ourt, M.D.
"	J. H. Seitz.
December 19, 1867.	Rev. Chas. S. Diver.
January 16, 1868.	Joseph Kinike.
February 29, 1868.	Marcellus Balderston.
"	John O'Connor.
"	Rev. M. Reibert.

Elected.	Names.
March 19, 1868.	Benj. Hallowell, Jr.
"	John C. Remington.
"	Rev. Phillips Brooks.
April 15, 1868.	Joseph G. Darlington.
"	Mordecai Buzby.
"	Richard G. Stotesbury.
"	Frederick Collins.
"	Rev. James Neill.
May 21, 1868.	George W. Hall.
"	Rev. E. D. Fendall.
"	John Jordan, Jr.
June 18, 1868.	Charles E. Thompson.
"	Richard K. Betts.
October 15, 1868.	Rev. Wm. J. Alston.
December 19, 1868.	William Hawkins.
"	J. J. Woodward.
January 21, 1869.	Isaac H. Sherman.
"	Augustus Thomas.
"	William Vanderveer.
"	Peter D. Keyser, M.D.
February 18, 1869.	Edward H. Coates.
"	John T. Roberts.
"	Caleb J. Milne.
"	Rev. E. R. Beadle.
March 18, 1869.	Henry C. Hawkins.
April 15, 1869.	Rev. Peter Stryker.
May 20, 1869.	Horace W. Pitkin.
"	John J. Joyce.
"	Harry Keunedy.
June 17, 1869.	Dr. J. Leesey.
"	A. C. McCurdy.
September 16, 1869.	Isaac H. Rhoades.
January 20, 1870.	Samuel W. Jacobs.
"	James V. Stokes.
"	Wm. H. Knight.
"	David Weatherby, Jr.
"	Leonard N. Walker.
February 17, 1870.	John Wanamaker.
"	Charles Schwartz.
March 16, 1870.	Asa S. Wing.
"	Hamilton R. Hutchins.
April 21, 1870.	Edward Marshall.
"	Isaac Baker.
May 19, 1870.	Wm. C. Houston.
"	S. J. Solms.
July 21, 1870.	Clayton B. Rogers.
March 16, 1871.	Joshua T. Owens.
"	Dwight D. Willard.
"	Wm. J. Reed.
June 15, 1871.	T. Ellwood Chapman.
"	Alfred Jones.
June 18, 1871.	Joel Reeves.

Elected,	Names.
August 17, 1871.	William Whitehead.
December 21, 1871.	Edwin H. Coates.
"	Francis H. Jackson.
April 18, 1872.	Robert M. Foust.
"	John A. Meehan.
"	Robert Tilney.
"	Dr. Jacob Roberts.
"	J. Colesbury Purvis.
"	Joseph H. Roach.
"	Edward C. Biddle.
May 16, 1872.	Henry G. Townsend.
"	A. B. Raynolds.
June 24, 1872.	Jos. A. Donnelly.
"	Charles A. McKeone.
"	Judah Ware.
"	John C. McGuigan.
"	Benjamin B. Thomas.
"	Thomas W. Price.
December 19, 1872.	James V. Watson.
"	George L. Buzby.
February 20, 1873.	J. G. Rosengarten.
"	Robert E. Atmore.
"	Charles W. Peirce.
"	Rudolph Blankenburg.
March 20, 1873.	Elton B. Gifford.
"	Geo. K. Zeigler.
"	Ernest Schaffer.
"	Sylvester Garrett.
"	Charles B. Miller.
"	James Gaskill.
"	Thos. M. Adams.
"	Saml. W. Black.
May 15, 1873.	John R. Morris.
September 18, 1873.	Alexander Reed.
October 18, 1873.	Edward J. Maginnis.
"	Anna T. Laing.
"	John H. Chambers.
November 21, 1873.	Catharine M. Laing.
"	George Truman, Jr.
"	Thomas Barry.
December 18, 1874.	S. M. Burton.
"	Charles Rogers
March 19, 1874.	Wm. Shannon Ingram.
"	Wm. H. Jones.
April 16, 1874.	James Manderson.
"	Rev. Chas. E. Betticha.
"	George Hunt.
May 14, 1874.	J. F. Seldonridge.
"	John S. Watts.
"	I. V. Williamson.
September 17, 1874.	Joseph Lopez.
November 19, 1874.	John N. Hutchinson.

Elected.	Names.
November 19, 1874.	Penrose R. Hoopes.
"	Rev. Wm. J. Mann.
"	Owen Jones.
"	J. M. Spear.
February 4, 1875.	John Devereux.
September 16, 1875.	W. W. Walter.
October 21, 1875.	Wm. R. Scott.
February 17, 1876.	P. H. Spellissey.
May 18, 1876.	Henry Tilge.
June 15, 1876.	John O. Bowman.
October 19, 1876.	Jesse Cleaver.
April 19, 1877.	A. W. Rand.
May 17, 1877.	Simon Muhr.
"	Edmund Claxton.
"	James S. Martin.
"	Thomas C. Garden.
"	James Spear.
"	Dr. Ellwood E. Hopkins.
November 15, 1877.	D. J. Megargee.
"	M. M. Scanlan.
April 18, 1878.	S. Weir Lewis.
"	Levi Goldsmith.
June 20, 1878.	Hamilton R. Hutchins.
"	Rev. Bishop Wm. B. Stevens.
September 19, 1878.	Rev. Dr. Butler.
October 17, 1878.	Frank W. Parsons.
November 21, 1878.	Edwin Craft.
March 20, 1879.	David Masters.
October 16, 1879.	Lewis U. Bean.
"	Rev. Samuel E. Appleton.
"	Samuel Biddle.
"	Alfred M. Harkness.
"	George E. Taylor.
November 20, 1879.	Rev. Thos. S. Malcolm.
March 18, 1880.	William T. Wilkins.
"	Charles Hill.
"	William T. Lewis.
April 18, 1880.	George Doll.
"	Andrew Manderson.
"	Rev. Henry S. Clubb.
April 18, 1880.	Prof. R. E. Thompson.
"	Rev. B. L. Agnew.
May 20, 1880.	Geo. M. Torrence.
October 20, 1880.	Rev. H. L. Wayland.
"	Rev. Wm. S. Adamson.
"	William G. Steel.
"	George R. Kellogg.
December 16, 1880.	Dr. Hiram Gold.
"	Theodore Barrett.
March 17, 1881.	Humphreys Garrigues.
April 21, 1881.	Marmaduke Watson.
"	Joseph S. Elkinton.

Elected.	Names.
April 21, 1881.	Rev. Dr. T. S. Davis.
May 19, 1881.	George S. Hensell.
September 15, 1881.	Edward C. Claghorn.
October 20, 1881.	Clement A. Woodnutt.
"	Edwin L. Peirce.
"	Albert H. Mullin.
November 17, 1881.	Samuel Jones.
"	Frederick J. Pooley.
"	Henry T. Claghorn.
December 15, 1881.	Eugene Claghorn.
"	George I. McKelway.
May 18, 1882.	John H. Dillingham.
June 15, 1882.	S. W. S. Ruschenberger, M.D.
October 19, 1882.	Charles Heritage.
December 21, 1882.	Hon. Henry M. Hoyt.
"	Hon. Robert E. Pattison.
"	Rev. Thomas T. Everett.
January 18, 1883.	Philip C. Garrett.
"	John Woolman.
February 15, 1883.	Harrison Walton.
"	A. J. Erickson.
"	Alexander Calhoun.
"	G. W. Johnson.
"	Elias A. Hunsicker.
"	James W. Walk, M.D.
"	E. M. Bruce.
June 21, 1883.	Emily J. Ingram, M.D.
"	Harriet W. Paist.
"	Rachel L. Bodley, M.D.
"	James W. Shaw.
May 17, 1883.	Henry C. Cassell.
October 18, 1883.	John Dickinson.
January 17, 1884.	Rev. H. F. Lee.
"	C. Tiers Meyers.
"	Rev. J. H. Powers.
"	Wm. H. Hart, Jr.
"	Charles S. Phillips.
"	Joseph W. Kearney.
"	Mrs. M. E. Souder.
"	Jabez Wood.
"	Mrs. Frances P. Nicholson.
"	Mrs. Frances Howard Williams.

DR. *HENRY M. LAING, Treasurer, in account with "Philadelphia*

1888, 1 Mo. 2	To Balance, ...	\$4,053 43
	" Cash rec'd from Subscriptions, ...	304 00
	" " " " Interest on Investments, ...	1,236 49
	" " " " Ground Rent paid off, ...	716 67
	" " " " W. J. Mullen's Legacy, ...	475 00
	" " " Balance of Interest, ...	121 31
		\$8,906 90

Society for Alleviating the Miseries of Public Prisons."

CR.

	By Cash paid Rent of Room, ...	\$ 45 00	
	" " " Agent of Eastern Penitentiary, . .	300 00	
	" " " " County Prison, ...	300 00	
	" " " Committee on Eastern Penitentiary,	200 00	
	" " " " County Prison, ...	350 00	
	" " " " on Employment, ...	50 00	
	" " " for Printing Journal, &c., ...	173 07	
	" " " Sundry Expenses, ...	178 00	
	" " " Investment of Legacies, ...	4,252 50	
1884, 1 Mo. 25.	To Balance—Income, ...	\$214 83	
	Principal for Investment, ...	784 00	998 33
			\$6,906 90
	BARTON FUND.		
1883, 1 Mo. 25.	To Balance, ...	1,547 30	
	" Cash rec'd for Interest on Mortgage, ...	110 00	
			\$1,657 30
1884, 1 Mo. 24.	By Cash paid Committee on Eastern Penitentiary,	200 00	
	To Balance, ...		\$1,397 30
	HENRY M. LAING, <i>Treas.</i> <i>Philadelphia, 1st Mo. 24, 1884.</i>		
	Having examined the account of Henry M. Laing, Treasurer, and the vouchers, we find it to be correct, with a balance in his hands of nine hundred and ninety-eight $\frac{33}{100}$ dollars; also a balance of thirteen hundred and ninety-seven $\frac{30}{100}$ dollars due the Barton Fund.		
	GEO. W. HALL, } CHAS. ROGERS. } <i>Auditors.</i>		
	PHILADELPHIA, 2d Mo. 12, 1884.		

ARTICLE V.

The Acting Committee shall consist of the officers of the Society, *ex-officio*, and fifty other members. They shall visit the prison at least twice a month, inquire into the circumstances of the prisoners, and report such abuses as they shall discover to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death, or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society, or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a Life Membership. Any person paying not less than five hundred dollars shall be called a Patron of the Society.

ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

ARTICLE VIII.

The Society shall hold Stated Meetings on the fourth Fifth-day (Thursday) in the months called January, April, July and October, of whom seven shall constitute a quorum.

ARTICLE IX.

No alterations to the Constitution shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, held not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided, the Presiding officer shall have the casting vote.

Extract from "A further Supplement to an Act entitled, An Act to reform the Penal Laws of this Commonwealth."—Sec. VIII., Art. 7.

OF VISITORS.

No person who is not an official visitor of the prisons, or who has not a written permission according to such rules as the Inspectors may adopt as aforesaid, shall be allowed to visit the same; the official visitors are the Governor; the Speaker and Members of the Senate; the Speaker and Members of the House of Representatives; the Secretary of the Commonwealth; the Judges of the Supreme Court; the Attorney General and his Deputies; the President and Associate Judges of all the Courts in the State; the Mayor and Recorder of the cities of Philadelphia, Lancaster and Pittsburgh; Commissioners and Sheriffs of the several Counties, and the "Acting Committee of The Philadelphia Society for Alleviating the Miseries of Public Prisons."

OFFICERS OF THE SOCIETY.

1884.

PRESIDENT.—JAMES J. BARCLAY.

VICE-PRESIDENTS. { EDWARD TOWNSEND,
CALEB J. MILNE.

TREASURER.—HENRY M. LAING.

SECRETARIES. { JOHN J. LYTLE,
WILLIAM SHANNON INGRAM.

COUNSELLORS. { HON. WILLIAM N. ASHMAN,
A. SYDNEY BIDDLE.

Members of the Acting Committee.

Thomas Latimer,
Alfred H. Love,
William Ingram,
George Taber,
Rev. Charles F. Diver,
Joseph Kinike,
George W. Hall,
William Hawkins,
Horace W. Pitkin,
Harry Kennedy,
Leonard N. Walker,
William Whitehead,
John O. Connor,
William H. Jones,
Charles Rogers,
P. H. Spellissey,
Jesse Cleaver,

George Hunt,
Edmund Claxton,
Owen Jones,
Thomas J. Whitney,
Dr. Ellwood E. Hopkins,
Dr. Charles E. Cadwalader,
William F. Lewis,
Humphreys Garrigues,
Clement A. Woodnut,
Henry T. Claghorn,
Marmaduke Watson,
Joseph G. Rosengarten,
John H. Dillingham,
Joshua R. Gouldy,
John Woolman,
Harrison Walton,
A. J. Erickson,

Dr. James W. Walk,
Elias A. Hunsicker,
Eli M. Bruce,
Henry S. Cassell,
James W. Shaw,
J. Topliff Johnson,
John Dickinson,
Jabez Wood,
Chas. McKeone,
Harriet W. Paist,
Mrs. F. P. Nicholson,
Dr. Rachel L. Bodley,
Frances Howard Williams,
Dr. Emily J. Ingram,
Sam'l W. VanCulin,
Rev. Henry F. Lee.

Visiting Committee on the Eastern Penitentiary.

Edward Townsend,
Henry M. Laing,
John J. Lytle,
Alfred H. Love,
George Taber,
Rev. Charles F. Diver,
William Hawkins,
Horace W. Pitkin,
Harry Kennedy,
Leonard N. Walker,
William Whitehead,
William H. Jones,
P. H. Spellissey,

Jesse Cleaver,
George Hunt,
Edmund Claxton,
Owen Jones,
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Jabez Wood,
Chas. McKeone,
Harriet W. Paist,
Dr. Rachel L. Bodley,
Dr. Emily J. Ingram,
Sam'l W. VanCulin.

Visiting Committee on the County Prison.

Thomas Latimer,
William Ingram,
Joseph Kinike,
George W. Hall,
William Shannon Ingram,

John O. Connor,
Charles Rogers,
Dr. Charles E. Cadwalader,
William F. Lewis,
Elias A. Hunsicker,

Eli M. Bruce,
John Dickinson,
Elizabeth L. Nicholson,
Frances Howard Williams.

Visiting Committee on the House of Correction.

William Ingram,
Rachel L. Bodley, M. D.,

Rev. Henry F. Lee,
Emily J. Ingram, M. D.,

Mrs. F. P. Nicholson,
James W. Walk, M. D.

CHARLES HERITAGE is Agent for the County Prison, appointed by the Inspectors, and acting under their direction, and is also appointed by the Prison Society.

WILMER W. WALTER is Agent for the Eastern Penitentiary, appointed by the Prison Society.

NEW SERIES.]

No. 24.

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY.

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"
INSTITUTED 1787.

No. 1602 Chestnut Street.

JANUARY, 1885.

PHILADELPHIA:
AMERICAN PRINTING HOUSE, N. E. COR. EIGHTH AND JAYNE STS.
1885.

CONSTITUTION

OF THE

PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

When we consider that the obligations of benevolence, which are founded on the precepts and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt, (the usual attendants of prisons,) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity their undue and illegal sufferings may be prevented: the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested as may, instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes they have adopted the following CONSTITUTION:—

ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors, and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society, within thirty days, for the purpose of holding such election, of which at least three days' notice shall be given.

ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call Special Meetings whenever he may deem it expedient, and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay all the orders of the Society, or of the Acting Committees, signed by the Presiding officer and the Secretary, and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All bequests, donations and life subscriptions, shall be safely invested, only the income thereof to be applied to the current expenses of the Society.

NEW SERIES.]

No. 24.

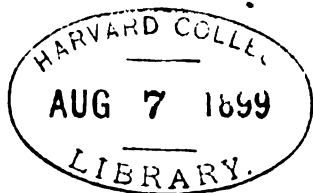
THE JOURNAL
OF
PRISON DISCIPLINE
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JANUARY, 1885.

PHILADELPHIA :
No. 1602 Chestnut Street.



Pa. Prison Society.

AMERICAN PRINTING HOUSE,
N. E. CORNER EIGHTH AND JAYNE STREETS,
PHILADELPHIA, PA.

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ROOMS AND LIBRARY
OF THE
PHILADELPHIA SOCIETY
FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,
1602 Chestnut Street, Philadelphia.

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First month (January) 15th, 1885, the Editorial Board, (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of ALFRED H. LOVE, JOHN J. LYTLE, JOSEPH G. ROSENGARTEN, JOHN H. DILLINGHAM, MRS. F. P. NICHOLSON, presented the draft of the Annual Report, which, being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At the Ninety-eighth Annual Meeting of the Society, held First month 22nd, 1885, the Report was presented by ALFRED H. LOVE, Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they might think proper; and they were also authorized to distribute the Report.

The Report to be signed by the President and Secretary.

JOHN J. LYTLE, Secretary.

NOTE.—Persons receiving the Journal are invited to correspond, to make criticisms and suggestions on the blank pages, and send, with any publications on Prisons and Prison Discipline, and articles for the Journal, to ALFRED H. LOVE, Chairman of the Editorial Board, 219 Chestnut Street, Philadelphia, Pa.

OFFICERS OF THE SOCIETY FOR 1885.

PRESIDENT,
JAMES J. BARCLAY.

VICE-PRESIDENTS,
EDWARD TOWNSEND. **CALEB J. MILNE.**

TREASURER,
HENRY M. LAING.

SECRETARIES,
JOHN J. LYTLE. **WILLIAM SHANNON INGRAM.**

COUNSELLORS,
HON. WILLIAM N. ASHMAN. **A. SYDNEY BIDDLE.**

Members of the Acting Committee.

Thomas Latimer,
Alfred H. Love,
George Taber,
William Ingram,
George W. Hall,
William Hawkins,
Horace W. Pitkin,
Harry Kennedy,
Leonard N. Walker,
William W. Whitehead,
John O. Connor,
William H. Jones,
Charles Rogers,
P. H. Spellissey,
Jesse Cleaver,
George Hunt,
Edmund Claxton.

Owen Jones,
Thomas J. Whitney,
Dr. Charles E. Cadwalader,
Wm. F. Lewis,
Humphreys Garrigues,
Clement A. Woodnut,
Henry T. Claghorn,
Marmaduke Watson,
John H. Dillingham,
John Woolman,
Harrison Walton,
Dr. James W. Walk,
Elias A. Hunsicker,
Eli M. Bruce,
Henry C. Cassell,
J. Topliff Johnson,

Jabez Wood,
Harriet W. Paist,
Mrs. F. P. Nicholson,
Dr. Rachel L. Bodley,
Mrs. F. Howard Williams,
Dr. Emily J. Ingram,
Rev. William L. Bull,
Charles Brown,
A. L. Stimson,
Rev. J. Y. Ashton,
Rev. C. H. Thomas,
Charles L. Phillips,
John H. Ingham,
William Scattergood,
Charles A. Tracy,
Rev. F. B. Greul.

Visiting Committee on the Eastern Penitentiary.

Edward Townsend,
Henry M. Laing,
John J. Lytle,
Alfred H. Love,
George Taber,
William Hawkins,
Horace W. Pitkin,
Harry Kennedy,
Leonard N. Walker,
William W. Whitehead,
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Dr. Emily J. Ingram,
Charles Brown,
A. L. Stimson,
Rev. J. Y. Ashton,
Charles L. Phillips,
William Scattergood,
Charles A. Tracy.

Visiting Committee on County Prison.

Thomas Latimer,
William Ingram,
George W. Hall,
John O. Connor,
Charles Rogers,

Dr. Charles E. Cadwalader,
William F. Lewis,
W. Shannon Ingram,
Elias A. Hunsicker,
Eli M. Bruce,

Mrs. F. P. Nicholson,
Mrs. F. Howard Williams,
Rev. C. H. Thomas,
John H. Ingham,
Rev. F. B. Greul.

Visiting Committee on House of Correction.

William Ingram,
James W. Walk, M.D.,

Mrs. F. P. Nicholson,
Thomas J. Whitney,

Emily J. Ingram, M.D.,
William Scattergood.

Visiting Committee on Chester and Montgomery Co. Prisons.

Rev. William L. Bull,

William Scattergood.

J. J. CAMP, 1704 Oxford Street, is Agent for the County Prison, appointed by the Inspectors, and acting under their direction; and aids the Prison Society.

WILMER W. WALTER, 1729 North 22nd Street, is Agent for the Eastern Penitentiary, appointed by the Prison Society.

Journal of Prison Discipline.

NINETY-EIGHTH ANNUAL REPORT OF THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS.

WHEN we approach so near the Centennial Anniversary of a public philanthropic organization as to be able to present the ninety-eighth annual report, it awakens profound and reverential feelings.

We are led to ponder the fact, that for nearly one hundred years crimes have been committed of which this Society has been made cognizant; and criminals have been confined in prisons and penitentiaries, to whom this Society has been drawn in tenderness and love, appealing for reformation. We are led to inquire—what good has been wrought in all these long years? Surely from the master-minds of our predecessors, with the strength and time devoted to this subject, we are convinced of a sincere dedication to this work for the good of our fellow men; and while we accord the highest veneration for their labors, and we are not wanting in evidences of their victories, we feel the weight of the responsibility bequeathed to us and a prayerful desire to comprehend it and to fulfill its obligations.

It is no small matter for a body of devoted men and women to take up this legacy of ninety-eight years and render an appropriate record.

On the 24th of January, 1884, the ninety-seventh annual meeting was held at the rooms of the Society, 1602 Chestnut Street. Our venerable President, James J. Barclay, passed ninety years of age, had been brought to the meeting in a carriage. When the hour arrived for the business, Mr. Barclay always prompt, announced the regular order, when a motion was made to suspend it, as there was an episode, out of the regular order, to be enacted. The President was taken by surprise as Mr. E. M. Bruce sang an original song dedicated to Mr. Barclay, on his ninetieth birthday.

Dr. Emily J. Ingram presented him with a large and beautiful bouquet—emblematic of the four score years and ten. Hon. George W. Hall presented him with a copy of the "Life and Labors of Elizabeth Fry," sent him by the editor, Edward Ryder. Henry M. Laing, with a few complimentary remarks, handed him a number of cabinet photographs of himself that he in turn might give them to his friends. They were procured from an excellent picture recently taken, and was a great surprise to Mr. Barclay. T. Judson Whitney then presented him, on behalf of the Acting Committee, an elegant inkstand and gold pen. On the former was engraved the following: "Testimony to James Joseph Barclay; Member sixty-five years; and forty-nine years* President of the Philadelphia Society for Alleviating the Miseries of Public Prisons. Organized 1787. From the members, January 24th, 1884."

Alfred H. Love then read the following, which had been handsomely engrossed and signed by the members:

To James Joseph Barclay:

As the light comes to the morning and the harvest from the seed, through the beneficent power of the Giver of Life and Light, so

* This should have been thirty-five.

the inspiration fills our hearts, to testify to you, our beloved and revered

PRESIDENT

of half a century, on your ninetieth birthday, our sincere congratulations, our appreciation of your unselfish devotion to unfortunate humanity, and our admiration of your exalted character.

Becoming a member of this Society in 1819, thirty-two years after its organization, and elected our President thirty years afterwards, you have been not only the

PRISONERS' FRIEND

for these many years, but thereby the conservator of law, the protector of society and the friend of mankind.

During this consecutive devotion of sixty-five years, you have seen the sunlight of perfected penal discipline illuminate your pathway, and you have reaped the harvest in the reformation of criminals, and the better care of offending and neglected children, from the seed of charity, justice and human brotherhood, which you planted, and which by unwearied labor you watched and nourished with all the faith of the husbandman of old.

Many are the weak, erring and friendless, who call you blessed, and surely you shall see fulfilled the promise :

"Thou hast been faithful over a few things, I will make thee ruler over many things."

We are reminded, however, that while we present you this testimonial of our affection and esteem, we are favored to still have you in our midst, to counsel and direct us with your judgment, experience and wisdom, and we fain would ask and expect, a continuance of your eminent services ; for, as our gifted Longfellow declared :

"Cato learned Greek at eighty, Sophocles
Wrote his grand *Œdipus*, and Simonides
Bore off the prize of verse from his compeers,
When each had numbered more than fourscore years ;
And Theophrastus, at fourscore and ten,
Had but begun his characters of men.
Chaucer at Woodstock, with his nightingales,
At sixty wrote the *Canterbury Tales* ;
Goethe at Weimar, toiling to the last,
Completed *Faust* when eighty years were past."

And now as we take your hand in ours, with compliment and gratitude, and with the same unanimity as heretofore elect you again to the highest office in our gift, we further dedicate, as peculiarly felicitous to you, the same poet's latest inspired truth, that—

“Age is opportunity no less
Than youth itself, though in another dress ;
And as the evening twilight fades away
The sky is filled with stars invisible by day.”

Mr. Barclay was deeply overcome, and after a pause said :

“It is almost two-thirds of a century, since, through Samuel R. Wood, I was elected a member of this Society. I became at once deeply impressed with the necessity of reform. I found children associated with old and hardened criminals, and I resolved to work for their separation.” He sincerely thanked the members for the unexpected reception given him, and the presents that he so gratefully appreciated ; he then recommended the Society to use every effort to secure an appropriation for a new County prison, and to memorialize Congress for the establishment of a bureau of prison statistics.

MEETINGS.

Acting under a resolution adopted by the Society, to hold public meetings, the Committee held a satisfactory meeting at the Spruce Street Baptist Church, February 7th, 1884, Rev. C. H. Thomas. Addresses were delivered by the Rev. J. Y. Ashton, Mary Grew, Hon. Richard Vaux, Alfred H. Love, E. M. Bruce and Charles Heritage.

The quarterly meetings of the Society and the monthly meetings of the Acting Committee, omitting the months of July and August, have been well attended and deeply interesting.

Several special meetings have been held to attend to matters that demanded special attention.

PROTECTION OF DISCHARGED PRISONERS.

It seems almost anomalous to appeal for the protection of discharged prisoners, but experience teaches that those funda-

mental rights of the person which belong to every created being, need to be respected in the treatment of crime.

The detective system is good, but the question arises, may it not be carried beyond judicious bounds? To detect crime, and to find, arrest and detain the criminal, is within the scope of the detective, but it may be questioned whether such an officer has the right to follow the person discharged from prison, after the faithful fulfilment of the sentence, and inform the employer of such a person that there is an ex-convict in his service. The right of "detection" does not cover this act, in the full meaning of the detective system. It is to detect vice, not virtue, and there have been many instances, where the ambition and vigilance of detectives have gone so far as to cause the discharge of ex-convicts from positions where they were honestly earning their living. So that it seems sometimes necessary to detect and arrest the detective.

The incentive of being considered very smart, and a good officer, or peradventure the receiving of favors or rewards from employers, by exposing the fact that an ex-convict is employed, are perhaps the controlling agencies for such an assumption of power, rather than the protection of the community.

After the members of the Acting Committee and the officers of a prison have labored with a prisoner, gained his confidence and his promise of leading a correct life, and the term of sentence has been complied with, and he starts off and finds a situation, it is very hard, discouraging and unjust to have a detective step in, recognizing the person as one who has been before the courts, found guilty and sentenced to prison (and the detectives as a general rule have remarkable ability of recognition), and inform upon the person so employed, causing his discharge and thus sending him adrift again. It is almost enough to provoke the commission of crime.

We have recently had a test case: A young man had been in prison several times, but the Visiting Committee was not discouraged. He was bright, intelligent and conscientious. A sister's influence aided in his determination to lead a better

life. Without asking the help of the Prison Society he obtained a situation as conductor on one of the city passenger railroads. He was performing his duties faithfully when suddenly he was discharged with the single remark, "your services are longer required." The President of the company would give no explanation. He tried another line and again succeeded. In a short time he was treated in the same manner. He tried the third and with a like result. He ascertained that the detectives, seeing him on the cars, informed the officers of the companies that they had a thief as conductor, and hence the dismissal, even without explanation, and notwithstanding he had scrupulously performed his duties. In despair he sought his former visitor, to whom he made the remark that he would die before he would steal. This visitor obtained him a situation in a prominent store on Market Street, after informing the firm of all the facts, he becoming security for his good conduct and honesty. It was but a poor position at first, but he was so punctual and correct that he was advanced from time to time until he received enough to support himself and sister, and the firm now regard him as invaluable.

He did not even hold this place without trouble. He was accosted by the detectives with the remarks: "Where are you now?" "We have an eye on you;" "You will not have a place long," and similar discouraging threats. The young man went to the Mayor, told his story, repeated his promises, and the Mayor called his Chief and instructed him to inform the officers that they should in no way molest this person except he committed some criminal act. The happiest results are apparent up to this time with every assurance of being permanent.

Another case proves the importance of this chapter. This young man is still in the Penitentiary, but his term is almost out. He writes as follows for himself and three others, who occupy a double cell, it being impossible to give each one a cell with the overflowing number:

We will work, keep together, and I for one intend to ask the Mayor

as a favor to speak to his detectives, asking them to leave us alone ; for you cannot imagine how many men are driven back to crime by them. It seems that, once a criminal always a criminal, is their belief. They are in the habit of driving off an ex-convict from one station to another, until he is again compelled to steal for a living. This is a fact ! One of our number was only thirteen when sent here for nine years ; was discharged from his work when he went out of here before, by a detective going to the factory where he was working and telling the proprietors that an ex-convict was working in their mill. You can imagine the result. He was discharged immediately and then took again to stealing.

We will try this time a new plan : ask them personally to give us a chance, and if it must be, I shall apply to the Judges for protection from them. *Do right we are determined to do, in spite of detectives and all associations !* All we ask is to be given a chance for an honest life. Pray trust us and help us to find work. We will stick to it and always remember gratefully the kind heart that helped us to become men, not only in name, but in deed.

The "ticket-of-leave" plan of Ireland might accept this action of the detectives, but in America, free America, we cannot reconcile such surveillance.

TRIALS OF DISCHARGED PRISONERS.

The trials and temptations to which discharged criminals are subjected deserve consideration. Very few persons comprehend them. The experience we have incites our earnest efforts to perfect our work by some practical methods which will insure that care of those coming out from prison life as will secure them against recommitment. This can be done by furnishing employment and placing them beyond absolute want. We learn from those who have tested the criminal side of life. The following extracts are from a letter by an old offender who has at last determined to reform ; and this proves the value of the visits made by our Committee and the individual system of the Eastern Penitentiary :

In a few months I shall regain my liberty and will again have an opening for a new life. Every time I have left prison before my intentions were as follows :—Knowing that I would not get work

right away and having only \$5 to start with, I said to myself: "Try again to raise a few dollars *by stealing, and then keep yourself like an honest man!*" No one had better intentions than I, provided I could get enough for a change of clothes and two weeks' board. Now, what did I do? There were only two courses left for me. *Starve or steal!* Criminals *do not starve and never will.* They may come out of prison with the firmest determination to do right, yet when the grim wolf is at their door they will renew their old vocation regardless of consequences; and being provided with the devil's own help to urge them on they go. A well-known liberated convict can find any number to help him on his old life, and not a kind heart to extend a Christian hand to help him upward. First he can regain some of his old companions who are outside; each will do what he can for him; knowing his situation has been theirs, they will help. Next he will go to his "fence," *i. e.*, pawnshop or place where he used to dispose of his ill-gotten plunder, there again a hand will be stretched to help him; first, to a few dollars, and next, if he be a burglar, with the tools of his calling or the address where he can provide himself with them.* Once more he is the criminal in pursuit of his nefarious calling. "Grass will not grow under his feet." Night after night he will try his fortune. First, with the firm determination that he will quit as soon as he can get some money; yet how few have stopped then. Of all my acquaintances, and to my misfortune I count them by the scores, I never knew but two who stopped after getting a little money, while the rest, made bold by success, kept on until arrested and sent back to their old prison quarters; not only themselves, but unfortunately, two or three young beginners in crime, in addition.

These were left in the clutches of the law before the old offender was caught; for his reputation as an ex-convict drew young persons to him, who looked up to him as a *leader*; and being an old hand, knowing the ins and outs of the police he will be careful and let others run the most risk.

This was not only my experience, but also that of many liberated convicts. Let no one wonder at the increase of crime and the too often *re-conviction of criminals.* These are plain facts, and so long

* Surely this is an important exposure and ought to claim the closest investigation and the promptest arrest.

as the well-intentioned convict is left to shift for himself without money, decent clothing and work, so long will prisons remain punitive and reformation be unheard of. Crime begets crime by the natural process of contamination.

I speak not only for myself that aid may be extended to an old offender, as I am determined to reform, but for three companions in one crime, together in one cell. We have sinned together, and together we are sowing the just punishment our crimes called upon us. Years ago it was a companionship for rascality and crime, to-day it is a bond of unity linking us together for good, for *we have seen the folly of crime* and are willing to do better.

The youngest of us will be without proper clothing. Although he was a good worker, and made \$250, or \$125 for himself and \$125 for the State (as the State takes half our overwork), to-day he is almost without money as he sent most of it to his aged mother, now in San Francisco. There has been no chance for overwork for a year. Although the youngest criminal that was ever here, he was but thirteen when he came on his first conviction nine years ago, to-day he is determined to do right. I have almost lost my sight, but I am full of faith and hope, and have no fears but that the past five years have been for the best, as it was the means of saving three of us from a life of wretchedness and disgrace.

INSANE CRIMINALS.

When we consider the marvelous powers of the human mind when sane, we should not be surprised at proportionate errors, when it loses its poise and becomes insane.

Indeed more, we should charitably treat such misfortune. If the result of such insanity be the commitment of crime, the demand upon the rational and moral portion of the community is, to guard and cure, if possible, the diseased condition of the mind, rather than punish the effect of that condition.

Notwithstanding the almost unanimous approval of this position, we regret to be forced to admit, that there are insane criminals sentenced to the Eastern Penitentiary and County Prison, and confined therein.

These institutions were established for a different purpose. They are built, governed and conducted as prisons, for the restraint, reformation, and, as some say, punishment of those who willfully violate the law, injure their fellow-beings, and disturb the peace, order and happiness of society.

They are not intended for Insane Asylums. The cells are not adapted to the treatment of those who have lost their reason. The mandate of the law is: "You are sentenced to solitary confinement at hard labor." What an inhuman order for an insane person!

Neither the Warden of the Eastern Penitentiary nor the Superintendent of the County Prison are employed to take charge of the insane. Whether qualified for it or not, is not the question. It is simply not their office, and their time is otherwise engaged.

Suppose the criminal who is entirely sane, instead of being sent to the penitentiary or jail, should be sent to an Insane Asylum, would that be either right or fair?

Would it be fair to the Principal of that institution? Fair to the inmates thereof? Would they receive the treatment adequate to their condition? We all respond No! and further say,—it is not done.

Why then the imposition and the assumption of sending insane persons to the prisons, or retaining them therein after they are found to be insane?

True, insanity may be developed after a prisoner has been in our penal institutions for a time, just as disease will be developed oftentimes after a change in the mode of living or by the lapse of time.

We are satisfied the system,—the separate or individual treatment,—does not superinduce it.

The seeds of insanity are very often in the person committed to prison, and when discovered the Insane Asylum and not the prison is the place for such.

The past year has witnessed several serious results from having insane persons in the Penitentiary. It is no small matter

to govern over one thousand inmates and to feel that there may be some insane among them. The treatment ought to be different, but where are the appliances for such discrimination? Accidents occur, injuries are inflicted, trouble ensues and always will, so long as persons who have lost their reason are sentenced to the treatment of sane prisoners, and who remain in the penitentiary and jail after they are found to be insane.

The officers of our penal institutions may be ever so astute and competent to manage a *criminal* class, and may have all the regulations and a thoroughly perfected system for such, but they may be utterly unable and incompetent to manage the insane criminal class.

Let us keep in view the need of a certain amount of care and judgment in treating the insane; and further, let us be clear in the solution of the proposition, that an insane condition will very likely produce a criminal act, and not *vice versa*, a criminal act produce an insane condition. Hence, it is due to the person found to be insane, due to the officers of the prison, due to humanity and human rights, that such a person be placed under the care of physicians and with surroundings that will restore the delicate and wonderful powers of the mind.

Imprisonment is calculated, with all the care that our humane officers manifest, to injuriously affect the mind of a person predisposed to insanity.

We have known a time when the Warden stated he was satisfied there were over a score of insane criminals in the penitentiary who should be removed to an Insane Asylum. True, some are taken, but many are left, and if troublesome, violent or dangerous, they are said to be better off in the cells of the prison than in the Asylum.

We offer no reflections upon the Asylum or the managers thereof, but we do demand that provision be made for the insane criminal. If the Asylums are not strong enough to secure them, and they have not officers competent to take them in charge, we appeal for the erection of such a needed

building, and the appointment of such persons as can minister unto them according to their needs.

We have known instances where the Warden has had to leave his duties and walk the corridors with the insane criminal, and to treat him in such a manner as to overcome his derangement.

We have seen the insane, in exactly the same cell as is given the sane criminal, destroy everything, even to the clothes off his body, until it became necessary to remove bed and table and chair from the cell, and virtually leave him without anything, a pitiable object, without even clothing in the dead of winter; the very pipes that conveyed the steam to his cell he would break if he could. Of course it was difficult to keep such a cell in good sanitary condition; and as we make up our Annual Report, this very case is before us. The Overseers, with commendable interest and care for the poor man, as well as a regard for the health of the penitentiary, change him every few days from one cell to another, cleaning the cell he has left and then placing him back. This requires not only unremitted care, but calls forth the better feelings of those in charge, and while it is a trial that is met with a large share of willingness, it is one that was not contemplated when the penitentiary was built, when the law was framed, and when the appointments of those in charge were made.

To the visitor who finds such cases in his corridor, the duty of visiting becomes a very great test of devotion.

The person of whom we speak will scarcely recognize the good morning salutation; seems unable to exchange a word; will take a card or a paper but quickly destroy it. Think of a person in this condition undergoing the treatment of a sane criminal. And this in Pennsylvania, and in Philadelphia!

We do not say that the criminal insane should be sent to the State Hospital at Norristown, good as it is for the purpose for which it was established; for its plan is for freedom from useless restraint, and contemplates the use of such means as will restore a healthy action of the mind through exercise,

and such license and self dependence that would not answer for the criminal or violent insane.

We find in a recent issue of the *Public Ledger*, an editorial from which we extract the following, as our views seem to correspond on this subject :

While there is the same necessity and as much reason why insane criminals should be treated for their healthful restoration as that any other persons should be who are deprived of the use of their reason, the same system cannot prudently be made to apply to both classes.

The physicians and those in charge must continually be judging and deciding what the possibilities are for the criminal responsibility of the detained person, as well as his mental condition.

The superintendents of what we all now are pleased to recognize as "hospitals" for cure, and as pleasant homes for the incurable, might probably care for the criminal insane also, with larger means at command for classification and expensive watchfulness. But they should not be called on to undertake this when limited means are all bent to one object, that of restoring the insane patients to society by means of common employment, entertainment and the display of that confidence which is, under proper guards, such a wisely restorative measure. The State should be able to afford a small hospital for prisoners, where a special system might be maintained by a perpetual medical jury, to carry out the treatment for criminal mania which Court juries are so (and properly so) hesitating to determine.

There is sufficient of humane methods introduced at Norristown to employ the superintendents exclusively in treating the disease of insanity, with its dangerous possibilities, and its alleviations, if not always its cures. The department for the criminal insane, small as it would probably become under more specific arrangements for their incarceration or detention, should be another and distinct line of hospital work, and be established in quite another place.

The Grand Jury of Philadelphia made the following presentment to the Court, which corroborates our statement and we trust will lead to the needed reform :

The Eastern Penitentiary we found upon examination to contain

fifty-two persons of unsound mind, serving terms in that institution. These persons are distributed indiscriminately throughout the building, some occupying single cells and others sharing their narrow quarters with two or three companions. Different degrees of insanity are here to be met with. Violent subjects, whose minds are wholly under a cloud, and others who are only partially demented. It is our opinion that the system is open to criticism which consigns deranged, and in some cases wholly irresponsible criminals, to the rigorous discipline of prison life. Under such circumstances symptoms of insanity are still further superinduced, and the contact of such persons with other inmates cannot be otherwise than demoralizing. If through an oversight of the Court or otherwise a person of undoubted insanity becomes an inmate of the penitentiary, it seems but fair to ask that he be removed to the State asylum, or such other provisions be made for him as his peculiar mental condition may require. We recommend that when the person indicted is at the time found to be insane, or when a person convicted of crime is found to be insane, the Court should cause such person to be committed to the State Lunatic Asylum.

ABOLITION OF TIME SENTENCES.

When the long and persistent efforts of our early members to have a law enacted for shortening sentences for good behavior, were crowned with success, it was regarded as a wonderful advance in penal discipline. It has proven of great advantage in the management of prisoners and has contributed largely to their reformation. It has been adopted in other localities and always with happy results.

It is no difficult problem to understand why this should be. The fundamental principle is, "As we sow likewise shall we reap." The individual control that is given over our own happiness is an enlightened, indeed an American, principle, as well as a truly religious one. The salvation of ourselves here is well supplemented by the sacred duty of our eternal salvation. That this depends upon our "good behaviour," to use the words of the law to which we allude, admits of no controversy. Hence the value of giving the prisoner the hope

and the opportunity of shortening his sentence by good behaviour.

If this law and this reform be good, may we not extend it and make it better? True wisdom and practical philanthropy are progressive.

There is one objection to the present law, and the objection has been made manifest by facts. Judges being aware of this law may counteract it by giving a longer sentence than would otherwise be given, thus making the term of imprisonment about the same as under the old law.

It was a wise provision made in 1836 in this State, to give the maximum terms to which prisoners could be sentenced for all crimes, except those of treason, and murder in the first degree; and this in a measure prevents any great violation of the law for shortening sentences, and proves that both acts are in the direction of the more perfect system which we desire to have introduced.

If it has proven wise, and of this there can be no doubt, to throw the prisoners back upon their own manhood or womanhood, and have them emancipate themselves, not only from wickedness and crime, but from the consequences thereof, we are convinced that an extended system in this direction would more fully and more effectually contribute to the good of all. This can be done by the abolition of all time sentences. We use the term, abolition of time sentences, rather than indeterminate sentences, because we must first abolish before we introduce the new system. The one and the same reform is contemplated.

Over the doorway of the new prison in the city of Rome, Clement XI had inscribed the words: "It is idle to coerce the bad by punishment without making them better by instruction."

With our ideas of individualization, which comport with our separate individual treatment system, and our fundamental principle of personal responsibility, we would write over every cell door: "*This door is closed upon the bad, but opens upon the good.*" By this we mean that as crime is a disease, and the

criminal a patient requiring treatment, there should be no medicine given when the patient is cured, and no cessation of treatment while the patient remains sick.

As it is to-day, the criminal watches the calendar and notes the time when under the law discharge will take place. The term imposed for the offence has been faithfully fulfilled and liberty is claimed, whether the convict be fit to go out upon the community or not.

We have known cases where the revenge has been so deep that the prisoner declared, "I will burn that man's barn, or rob his house, or injure him in some way for appearing against me, when I get out." Such a person is not cured. If the imprisonment has been as medicine to him, it has either not been the right kind, or he has not had enough of it; and under the law we appeal for, liberty could not be claimed, and the prisoner should know why. The community would be protected, and the convict would be prevented from adding fresh crimes to the record.

On the other hand, we have known cases where there has been the most thorough penitence, where there has been a desire to make restitution for the wrong committed, where every action and every word from morning until night have proven reformation, and yet years have been against that person's discharge. Here we would say, call in the *Commission on Discharge*, consisting of the Warden, the Overseer, the Moral Instructor, one of the Inspectors, and the Prison Society Visitor of this particular block and prisoner, and if a majority of the Commission approve of a discharge, grant it, in the name of justice and encouragement to the individual, of economy to the institution, and of example to all others that it "pays to be good."

This commission would act upon detention as upon discharge, and it certainly is entirely within the domain of the Separate or Individual System, which is the best system ever devised.

Before the National Prison Association Prof. Wayland said:

The decision of juries, is not more whimsical or capricious or unreasonable, than the sentences. How shall this be remedied? By treating crime with reference to reformation and to cure, that is, treating it as a moral disease. The object of punishment I believe to be two-fold, to protect society by confining and reforming the prisoner. Of course he ought to be, in the interests of good order, under the best reforming influences. In other words, he ought to be confined until he is cured of his moral ailment. The ideal way of doing is to sentence him without limit; the limit to be ascertained by those who have him in custody, based on personal treatment. In New York there is a limit; he cannot be kept beyond the maximum sentence affixed to that particular crime, which is certainly better than the former method, if not as good as it ought to be.

M. J. Cassidy, Warden of the Eastern Penitentiary of Pennsylvania, believes in indeterminate sentence, but not for the first offence. Give a man for the first offence a definite sentence, and give him a chance, and then for every subsequent offence make the sentence indeterminate—without limit; the duration of his confinement to depend only on his cure, on his moral condition. I confess I do not see any objection to it, except this, that the best system is not good for anything unless it is in charge of a competent man.

Z. R. Brockway, of Elmira, said:

I am in favor of the true ideal, which is absolute indeterminate sentence, and in framing a bill framed it on that basis, but on suggestion altered it, putting in the maximum term for which the man is convicted as the limit of our legal custody of the prisoner. And in the alteration of the law, while I have found the fact of a maximum to be a hindrance in many cases to the best results in the manipulation of the man, it has not been so serious a hindrance to the operation of the principle as I expected, and I believe that in asking a legislature of to-day for the indeterminate sentence law it would be good policy to ask for such a law as ours.

I do not agree with Mr. Cassidy entirely. I am impatient about this matter of terms. It seems to me this government ought not to intrench a man's individual rights, but when he has crossed the rubicon of crime the government ought to pounce upon him as you have seen a farmer pounce upon a boy and hold him until he gets some assurance that he will stop stealing his apples. And I find

constantly in young men who have been in houses of refuge or in penitentiaries for misdemeanors, and have again fallen into crime, committed felony and come to us, a peculiarly hard and unfavorable mental state or subjective condition for the reformatory work we seek to inaugurate on their admission to prison. So that I have come to feel that when a man crosses that line it is the time, to save him, and he should be put into our hands at that time to be held until he is pretty sure to go during the remainder of his life without crime.

F. B. Sanborn said :

Difficulties of various kinds seem to exist with regard to this matter of indeterminate sentence. One arises from the absolutely unlimited character of indeterminate sentence, which, in the minds of most people, especially lawyers, is a very serious and often insurmountable objection. We have been taught to consider penalties for crime to be marked off like squares on a checkerboard, or, at any rate, like the unequal divisions that children make of their candy ; one offense has such a penalty attached, another such a penalty.

It has occurred to me that the provision of maximum terms was an excellent beginning to habituate the mind to the change which it is necessary to make from the idea of allotted penalty to the idea of sufficient margin for reformation.

Frederick H. Hines said :

I do not mean to object to the proposition. If it require one Court to take a man in, he ought to have the right to go, at stated intervals, before another Court, and they should pass upon his fitness to be released.

The question being raised that some prisoners might pretend to be reformed, Mr. Brockway replied :

In relation to the point, that the rascals will get out by pretence and the impulsive good fellows will be retained. What is the tendency of the experience now? We send a rascal to State Prison and he does not arouse himself to take on the semblance of virtue for the purpose of release ; he follows his bent without let or hindrance, and if he consents to *appear* to be virtuously inclined something is gained. Actually, there is no difficulty. The condi-

tions of progress toward release must be very different from the coarse, rude rules of the prison to-day. We simply require good work and no fighting or assaults upon officers, as conditions of good diet. We must take things trifling in themselves, things which indicate good intentions. I say to a man: "Here is a law; you have the motive to obedience, and if you cannot keep that little law, what ground have we to suppose that in this great State of New York, where you are not liable to detection, you will resist temptation?" These little tests make the question easy to determine. Another thing; the really bad man cannot dissemble in that regard.

George W. Burchard, of Wisconsin, said:

It cannot be successfully controverted, that we have no business to punish men, that that word "punishment" ought to be eliminated from all our laws, rules and regulations, as connected with prisons, and that, if we should do that, or if we could eliminate it from our minds, we should approach the consideration of the various subjects connected with prisons and prison affairs relieved of a good deal of embarrassment. I take it that our sole authority in the premises is simply to protect society, and that there is no reason, in the nature of things, why we should punish A, B or C, and least of all, any reason why we should punish A for the purpose of deterring B from committing some offense. Stated in other words, we have no business to make an example for the benefit or encouragement of other men, even to deter them from committing the same or other offenses, but we have a right, and it is our duty to protect ourselves by the theory of defense, and by protecting ourselves we protect society.

Now, how can this be done? Can it be done by having an inflexible rule that every man that steals a sheep shall suffer the same penalty, the same degree of restriction? Is that necessary for the protection of society? Not at all. In one case, there may have been a thousand things leading a man to it, and already, when he has once done it, the stings of conscience are upon him, and there is no sort of reason to apprehend that he will commit the thing again. What would you do in his case? Simply keep him in confinement until there shall be evidence to satisfy whomsoever has charge of the matter—it may be the Board of Managers of the prison, if you please, a committee of judges, a certain tribunal—

that shall convince them that the man, if released, will live at liberty and respect and obey the law. When that evidence is furnished, is it not better to turn him out and have of him a self-sustaining citizen, a man that takes care of himself and helps take care of others?

The other man who stole the sheep, under the present system, is sentenced for a year and a day and serves out his time, and there is reason to believe he will steal the first sheep he can lay his hands on when he gets out; why discharge him?

Rev. Dr. A. G. Byers said:

In the administration of criminal law there is a very wide difference, some men getting a severer sentence than other men who are more criminal than they. The indeterminate sentence would correct that, a very important thing to be corrected in the judicial system of our country.

It will bring into our prison management the reformatory influences that are needed. It will secure exactly the type of men we need. Only pure, lofty, philanthropic men who have the leisure and are willing to devote themselves to this work, would be summoned to these places, and they would remain in them so as to become familiar with their duties and able to meet their responsibilities. So that the indeterminate sentence means more than simply depriving the individual of his liberty; it means that the men who see him every day shall judge the question, instead of its being left to the Judge and jury to determine.

W. D. Patterson of Ohio said:

It would be just as proper for a physician to come into my sick-room and say to me, "You are diseased and I will keep you in bed six months until you are cured," as it would be for the Judge upon his seat to say to the prisoner after he has been tried and convicted, "I will send you to prison for five years." If this is a disease, then I claim that the person deserves and ought to have treatment until the disease is removed. Now, some persons, in the very nature of the case, must determine when the prisoner is cured of his disease. I submit, whether or not the prison authorities, the Warden and the Board of Managers, who are in daily contact with the prisoner, are not better able to judge as to the time when his cure is effected than the Judge and the jury which tries the man.

Having quoted these high authorities in favor of the abolition of time sentences, and the introduction of indeterminate sentences, we may wisely suggest the importance of having a Prison Visiting Society wherever there is a penitentiary or a jail. By this means the *Commission on Discharge*, as we have already named it, can be safely and wisely composed.

PRISON OFFICERS.

The result of experience in the management of Prisons confirms the principle that great care should be exercised in the appointment of officers.

The care of human beings of different ages, conditions, temperaments and capacities is no small matter. The first requisite should be that so pertinently announced by Thomas a' Kempis: "No man can safely govern, that would not cheerfully become subject; no man can safely command, that has not truly learned to obey." It is always an important accomplishment in the care of an institution, to first govern ourselves.

The Separate system requires this especially, and Mr. Cassidy, of the Eastern Penitentiary, continues a practice successfully introduced under the administration of Edward Townsend, of collecting the Overseers, some five days each week, and considering subjects of penal discipline, offering instruction and hearing reports.

At an important conference held at Chicago, December, 1884, Mr. Cassidy being called to the chair, said:

The greatest care should be taken to select the right kind of men for officers. He thought a training school in each prison, for officers, would be a desirable thing. The pay of officers was an important matter. Capacity and time in service should be important considerations in the matter of remuneration. There should also be a condition that no removals could be made without cause. Until some such system was adopted, the prisons would suffer. The training of the officers was a very important matter. In the employment of the prison officer the necessary qualifications should be inquired

into. An officer should not be taken on trial over 35 years of age. The officers should also be mechanics. Change on account of politics should not be tolerated.

A wise discrimination of character, a sympathetic nature, a cheerful bearing and a patient disposition, are among the virtues which should be added to firmness with kindness, persuasion with authority, and hopefulness and encouragement with a strict adherence to duty.

A valuable suggestion has been made by Supt. Hite, of the Lancaster, O., reform farm, who, in speaking of the advisability of employing inmates in subordinate positions, said that he thought in many instances it could be properly done. His school was organized on the family plan, and all the subordinate officers were selected by the superintendent.

It is frequently observed at the Eastern Penitentiary, that the prisoners employed as runners, millers, cooks, cleaners, gardeners, &c., are polite, well-behaved and stimulated to reform their lives. The thought has occurred that if more female labor was employed there might be found advantages that are not now realized. The Matrons at the Penitentiary and County Prison and House of Correction are certainly representative officers of this recommendation. The influence of woman in all reformatory work is apparent, whenever given an opportunity.

This Society has profited largely by the recent admission of competent women into the Acting Committee. Their suggestions have proven of marked advantage, and with the time, intelligence, and high moral force they have given to the work both in and out of the prisons, there has been a gain that promises incalculable good.

Mrs. F. P. Nicholson's labors among the women of the County Prison have been constant and well rewarded by many instances of reform. Her report published elsewhere will be read with interest.

Dr. Rachel L. Bodley, in her visits to the Mayor on the subject of Police Matrons for Station houses, of which a report

appears on another page, and her examination of the cells of Police Stations, has been of special value; while the other women visitors have rendered important services according to their appointments and abilities.

PUNISHMENTS.

So far as the recommendations of the Society are concerned on the subject of the treatment of prisoners, that is, forcing them if need be, to obey, or rather holding them while under restraint, to obedience of the rules of the institution and reforming their lives, the text may be briefly stated as Premiums *vs.* Penalties. The Pennsylvania system is in accord with this. A model system that is "known by its fruits." What a contrast with the insurrections in other prisons, the many recommitments, the feelings of resentment, the acts of violence, the bitterness, the refusal to work; the general character of the institution where corporal and harsh punishments are administered.

The key to reformation is to be found in encouragement, kindness, sympathy with the offender but a detestation of the offence, in showing the prisoner what a good life will bring; and where there are infractions and disobedience, gradually taking away comforts, to prove that it does not pay to disobey, and that wrong doing brings unhappiness.

Advice, argument, and time will do more to prevent infractions of the right, than threats, haste and harsh treatment. The remark "just think over this awhile" will often change the whole current of prisoners' evil purposes. Remember, they are under control—they are in the Warden's power. They often need but time "to think about it." There are now no dark cells at the Eastern Penitentiary. Every prisoner has his own punishments within his own control. The comforts can be retained or they can be withdrawn, according to the conduct of the recipient. They can, if taken away, be restored by penitence and attention to the rules of the institution. The remarkable contrast between the management of the Eastern

Penitentiary of Pennsylvania, with the punishments in some other States, is shown by a few quotations :

Mr. Brush, of Sing Sing, N. Y., says punishments should be severe enough to insure obedience. In Sing Sing every mode of punishment was tried that was known to the civilized world from the Spanish inquisition to the more modern methods. They had tried the thumb-screws and other tortures. The rings were still there and the marks were there, but no system seemed to prove adequate. About a year ago the attorney general decided that corporal punishment should not prevail, but that refractory criminals should be subjected to solitary confinement and fed on bread and water. This proved ineffective and the prisoners laughed at the methods. The discipline of the prison was in jeopardy, and the prisoners seemed to be on the eve of a bloody riot. A plan was at length promulgated which has proved sufficient. It consisted in handcuffing the recreant and fastening him to the wall, stretched at full length, and in this way he became his own punisher. When he was willing to obey orders he was released. The speaker exhibited a small model showing the system, saying he did not believe in having punishments in prison that could not be known to the public. The man who would strike another with a whip must by necessity become brutalized, or at least hardened.

Warden Nicholson, of the Detroit workhouse, says he has a similar arrangement, which is most successful.

Mr. Warner, of the Pittsburgh house of correction, believes in some such method of punishment in preference to the whip.

Mr. Carter, of Wisconsin, questions whether this mode of punishment is not cruel.

Mr. Warner, of the Pittsburgh workhouse, has a plan of placing men who refuse to labor, in a box-like cell without food or drink. Two days he says, are sufficient to bring the prisoner round. An officer goes round every six hours, and he adds : " It is laughable to notice how quickly the men thus punished express their willingness to work."

Warden Reed, of Minnesota, says he has no trouble about men refusing to work, and he believes in kind and just treatment. He is opposed to all cruel punishments.

Warden McClaughry, of Joliet, Ill., says when he assumed the management of Joliet he had three physicians examine the method of stringing up, and they decided that physical injury might ensue from this system. Recreants were now punished by solitary confinement, with their hands locked to the cell doors.

The effect of the New York custom can be traced by the following statement of Warden Willis of the Missouri Penitentiary :

Two years ago there had been trouble in the Sing Sing prison, which the prisoners read about in the newspapers, and the result of it was that the Missouri prison had been burned. He had visited Sing Sing, and had been so impressed with the punishment there that he had adopted it in Missouri. The lash was also sometimes used there.

We are satisfied that if these parties interested in prison discipline would visit the Eastern Penitentiary of Pennsylvania, and carefully examine the whole system of individual treatment, the absence of punishments and the adopted plan of premiums for industry and good behaviour, they would be convinced that their systems should undergo a change.

There is no difficulty where prisoners are given a partnership in their labor, by which they can earn something by working beyond their task ; where they can lessen their terms by good behaviour ; where the Warden carries out the individual treatment ; where there is a Moral Instructor, to counsel each prisoner in his cell ; where there is a Prison Society that visits the inmates, and by the separate system can quietly labor with each inmate in the privacy of his own cell.

During the year, on one of the visits of Mr. Cassidy to the conferences, which we are pleased to note are being held frequently throughout the world, a prominent Warden doubted the wonderful statements Warden Cassidy made respecting the success of the Pennsylvania system.

He was invited to visit the institution and examine the system, see the order, the general cheerfulness of the prisoners, the result of the premium plan. He did so. He spent an

entire day, and upon leaving expressed himself as more than satisfied.

This incident confirms the statements made by that eminent leader in prison discipline, whom Ex-Gov. Hoyt calls the Boanerges of Penology—Hon. Richard Vaux—in his excellent address on the Pennsylvania Prison System, of June 20th, 1884, in which he quotes the prophetic views of his father, Roberts Vaux. One paragraph of this early advocate of the Separate System is worthy of quotation. It is from his reply in 1827, to William Roscoe, of London: "I cannot admit the possibility of the consequences which thy pamphlet predicts, 'that a great number of individuals will probably be put to death by the superinduction of diseases inseparable from such mode of treatment.'

"In separate confinement every prisoner is placed beyond the possibility of being made more corrupt by his imprisonment, since the least association of convicts with each other must inevitably yield pernicious consequences in a greater or less degree.

"In separate confinement a specific graduation of punishment can be obtained, as surely and with as much facility as by any other system."

Mr. Vaux, as President of the Board of Inspectors, has greatly promoted this discipline, and in the address from which we quote he says of punishment: "To be effective should be applied to him as an individual. Whatever may serve to elevate his moral character and strengthen it, to induce reform and inspire better aims in life, are addressed to his developing remorse." He concludes the address with these forcible words: "The Pennsylvania Prison system rests its claims for recognition and adoption on the suggestions of philosophy, and the teaching of experience, confirmed by half a century of trial. It must teach and wait."

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LABORS OF THE ACTING COMMITTEE.

Fifty members constitute this committee, with the official right from the State to visit the prisons and the prisoners.

These visits are made in the cells with the doors closed or at the cell doors, the former being preferred.

During the past year to the Eastern Penitentiary there were reported, 422 visits; 3336 visits were made in the cells and 2111 interviews were had at the cell doors. An average of 446 prisoners were individually visited each month.

As an evidence of the value of these visits the following incident is cited:

At the Eastern Pennsylvania State Penitentiary one of the Visiting Committee found a man sentenced a few days before, for one year for burglary. His next door neighbor, a woman, had unkind feelings toward him. She alleged she was robbed at night and called for help. Her neighbor was hard of hearing, and his wife had extreme difficulty to get him up. He partly dressed and hurried into his neighbor's. Officers had arrived and she declared *there was the man* who had robbed her. He protested and declared he was innocent, but was tried and convicted on her charge. He had been a temperance lecturer for a number of years, and was a man of excellent character. However, he had no witnesses. The woman swore she saw him take her silver, etc. He was sentenced for one year. Ex-Governor Hoyt defended him, but the poor man gave way to excitement in court, broke out into wild prayer, and it was called shamming religion.

When found by the Prison Committee, an investigation was made; one hundred persons testified to his good character. Judge Hare reconsidered his sentence, and he is out on bail, and is believed to be an innocent man. The Acting Committee of the Prison Society does not interest itself in general for pardons, but here was an unusual case, and but for its interposition this man must have remained in the penitentiary for one year, although innocent.

To the County Prison the number of visits made by the committee amounted to 376. The number of interviews with the prisoners in the cells or at the doors was not recorded.

Mrs. F. P. Nicholson and the other ladies on the committee

made a large number of visits to the female departments of the prisons, but a full record was not kept. Many of the visitors do not render reports of their visits, so that the number of prisoners actually visited may be largely increased.

At the County Prison Mrs. Nicholson made 45 visits to female prisoners. She entered on the average ten cells each visit, making 450. Her visits to prisoners' families numbered 20; letters written in behalf of prisoners, 60; aided in reaching their homes, 23; situations found upon release, 20; pledges taken, 86; books furnished to the library (religious and temperance), 300; literature distributed, thousands of pages.

She adds to her report:

I have reason to believe *eight* this year have been led to trust in the right. The earnestness and simplicity of some of their testimonies is at times startling. I learn to love these children of sorrow, and many of them look to me for advice, long after they have left the prison.

Some of the girls have proved valuable servants. A lady, who has tried one for a year, writes: "I feel under obligations to thee, for thy kindness in procuring me so valuable a domestic."

Some conception of her work may be gathered by the following cases:

A German woman was convicted, she could not speak English, I brought her from her cell to hear the singing, and furnished her with German papers. On one of my visits the officers called my attention to her, as she seemed in deep sorrow, and they asked me to bring an interpreter. When the interpreter talked gently to her in her native tongue, of the great truths of religion, a faint ray of intelligence gradually came into the woman's face, and slowly her hands were raised, her face grew brighter, and with a loving exclamation, and hands and arms extended, she clasped them around the lady I had brought and burst into tears. The language of her native land, and the reference to the great truths of life touched her so that she freely told her sorrows, and they knelt together in prayer, and they sang a German hymn; the woman's face seemed radiant with beauty and joy. But we found the poor woman was more insane than wicked, and after counselling with the physicians,

and seeing unmistakable evidence of insanity, and that the prison was not the place for her, we had her removed to the Asylum at Norristown where she is being kindly cared for.

Another was that of a colored girl from Delaware. I wrote to her late employer, telling of her distress. A response and visit came to me from a refined and educated lady, wife of a prominent physician of Dover, and she thinks she cannot thank me enough for restoring this child to her old home. She has visited her. This girl was raised by the lady's mother, who on her death-bed, said : " Take care of Lizza." Hence her solicitude. The girl's time expired, and the lady came from Dover, bringing her clothes, and took her to her old home.

The House of Correction has also been visited and valuable reports have been made by the Committee intrusted with that particular labor. Mrs Nicholson reports 12 visits, distributing 3000 pages of valuable literature, holding 20 meetings in the sewing room and receiving 40 pledges.

POLICE MATRONS.

Continuing the subject of having a Matron at each Police Station, for the especial purpose of attending to females when arrested and placed in the Station houses, it is gratifying to report that one of the last acts of Mayor King before retiring from office was to appoint Margaret Watt as Matron for the Central Station. This appointment has proven satisfactory, and the present Mayor of the City of Philadelphia, William B. Smith, will continue this reform and seek to perfect it by providing suitable accommodations for Matrons at each Station. He recommends the family system—that is, to place the Station Houses under the immediate care of married persons, the husband and wife each to be paid for their services. He holds that this will secure the best attention.

The Society sent the following petition to the Select and Common Councils of Philadelphia, December 23, 1884 :

The Philadelphia Society for Alleviating the Miseries of Public Prisons respectfully petitions your honorable body to make provision for *Matrons* at the Police Stations, to have charge of such females as

may be arrested, and especially to have care of them when detained through the night and when it becomes necessary to search them.

In Providence, Chicago, Rochester, and several other cities, this reform has been introduced, and although partially tried in this city, has proven highly satisfactory, but your action seems required to perfect it.

PRISON VANS.

The inadequate accommodation for transferring prisoners to and from the Station Houses and Courts has interested the Society in securing more vans and better treatment. The fact of crowding many men together into a van in order to save trips and expense has met a decided protest. It came to the notice of this Committee that one man was taken from the van dead upon reaching Moyamensing Prison. Although no proof existed of death being caused by overcrowding there was reason to believe injury may often result therefrom.

The contract van system is bad. Whenever this is adopted there is an incentive to make money by using but few vans, making the fewest trips and overcrowding. Special efforts have been made by visiting the Mayor and Chief of Police and the following from Mayor Smith is encouraging :

January 15th, 1885.

A. H. LOVE, Esq. :

My dear Sir—Actuated by the desire to advance the operation of the Police Department and add such comforts as humanity dictates, I have had presented to Councils an ordinance placing the service in the hands of the Mayor, with provision for new vans and the proper repair of the old ones.

I am anxious to demonstrate the wisdom, safety and benefits which will arise from this form over the present abominable and inefficient contract service. The crowding of the prisoners, and the long detention in the vans, because of too extended routes, and the use of animals which barely can drag themselves along, are so inhuman, that I look with great hope to the reform of the present service. I will esteem most highly your support of a project which I know your own good nature and the objects of your Association so

strongly desire. If you could call and have a talk with Chief Stewart or myself, we would gladly give you our expressions.

Yours Truly, WM. B. SMITH.

SEEKING AND GIVING INFORMATION.

With the view of obtaining information respecting the penal institutions of the United States, as well as to impart the advantages of the Pennsylvania system, and to establish a national Bureau of Statistics, the following circular letter and questions have been sent out to the wardens and keepers of five hundred penitentiaries and jails in this country. The replies that are being received are very valuable and evince considerable interest in the matter.

RESPECTED FRIEND: At the stated meeting of the Acting Committee of the "PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held Third month 20th, 1884, the following was adopted:

"That a committee of five, with power to add to its numbers, be and is hereby appointed to open communication with each State and Territory of the United States of America, with the view to the organization of similar Societies to our Philadelphia Prison Society, the improvement of prison discipline and the establishment of a national bureau of prison statistics.

"That a correspondence be opened with Wardens and Inspectors of penal institutions, business men and such other persons as may be deemed advisable, in each city or town, wherein a penitentiary, prison, or jail may be located, soliciting a reply to the enclosed questions, which for the purpose of convenience in replying are so arranged that you can answer almost in monosyllables."

We shall be happy to furnish you with our *Journal of Prison Discipline and Philanthropy* and other publications whenever requested.

Respectfully, ALFRED H. LOVE,

Chairman of the Special Committee on Correspondence,
219 Chestnut Street, Philadelphia.



CHARLES HERITAGE,
Late Prison Agent for the County Prison of Philadelphia.

QUESTIONS.

1. *What is the name of your Penal Institution ?*
2. *How many prisoners have you ?*
3. *What is the average number of commitments per annum ?*
4. *What is your system ? Is it Congregate, Separate, or any other ?*
5. *Are your prisoners employed, and if so, at what ?*
6. *Is it on the "Contract Labor" plan ?*
7. *Is there a Prison Society in your place ?*
8. *Can you and will you form a Prison Society to be auxiliary to the Philadelphia Society for Alleviating the Miseries of Public Prisons ?*
9. *Will you accept the position of Corresponding Member of the Philadelphia Society, if we furnish you regularly with our Annual Journal and other publications ?*
10. *Will you give us the names of influential citizens in your place with whom we can directly communicate on this subject ?*

CHARLES HERITAGE.

The agency of this Society with the County Prison was filled by Charles Heritage for two years and two months, until the 18th of November, 1884, when we sustained our great loss by his sudden death.

On the opposite page we present an excellent likeness of him, and from his widow we have received a large and handsomely-framed portrait which hangs in our rooms.

Our memorial herewith will represent to some extent our appreciation of his valuable labors, and the following extracts from the *Manayunk Chronicle and Advertiser* aid us in preserving a record of his estimable life:

Mr. Heritage, who was in his 55th year, had been ailing for many months, and only recently was confined to the house with some heart trouble, and was not expected to recover. But the attack moderated, and he resumed his duties.

About 6 o'clock on Tuesday evening, the 18th instant, near Tenth and Spring Garden Streets, Philadelphia, he had a sudden attack which rendered him helpless. He went into a drug store in the

vicinity and medical aid was summoned, but he died in a few minutes of heart disease.

He was a man of marked energy of character, and has had an eventful life. In his youth he was a printer, and soon became an active politician, his sympathies strongly attracting him to the Republican party. As a member of the Perseverance Hose Company, he was active in the work of the Old Fire Department. But he became dissatisfied with the rougher element which ruled in those days, threw off debasing associations, and, to the surprise of many, became a temperance reformer. He started a paper called the *Temperance Blessing* and organized a series of meetings under the same title, which were held in the room now occupied as the museum in Independence Hall. These meetings, which consisted of short lectures and entertainments, were very successful, and won for him the cognomen of "Father Heritage."

A little over two years ago, when the position of Prison Agent was made vacant by the death of William J. Mullen, Mr. Heritage, who was pre-eminently qualified for the kind of work required, was called to the position by the Society for Alleviating the Miseries of Public Prisons. The *Press* of Wednesday truly said :

"Father Heritage entered upon the work of reformation in earnest, and it was not long before the result of his persistent labor was apparent. Many of the petty cases of crime were dismissed from prison, and in numerous instances where the offense was of a trivial character and the first committed by the prisoner, the humiliation of incarceration was avoided. It seemed to be the special mission of Agent Heritage to look after youthful offenders, and many such have been rescued at the beginning of criminal careers. * * * Father Heritage was a familiar visitor to all of the police courts of the city. He always had a sad case of imprisonment meriting the leniency of the magistrate, and he usually gained his point. It will be a difficult matter to fill his place."

At the funeral the following appropriate words were spoken :

All were impressed with the interest he manifested in and the zeal he exhibited for the criminals of society, whom he so faithfully served as Prison Agent. Indeed, his chief anxiety seemed to be how he could best alleviate their sufferings, quite forgetful of his own pain and weakness. This spirit of self-denial especially ex-

hibited itself, when on a subsequent morning he arose from a sick-bed and appeared in jail and court in order to plead the cases of youthful delinquents.

And this is the fittest tribute that can be paid him—his self-denying labors in behalf of the unfortunate of society.

And the most enduring monument that shall be reared, will not consist of marble or granite column, but grateful memories, changed characters and altered lives.

A remarkable incident was mentioned: Mr. Heritage had some time before his death handed the following hymn to a friend to be sung at his funeral:

When pulse beats low, and cheeks grow pale,
And storms of life are fiercely driven;
When fairest prospects quickly fail,
How sweet to have a hope of Heaven!

When lone and wandering far from home,
No kind relief to us is given;
Oh! what would then of us become,
If we had not a hope of Heaven?

When friends that seemed so near and dear,
Are from our bosoms swiftly riven,
And life's bright joys in gloom appear,
How sweet to have a hope of Heaven!

And when the end is drawing nigh.
Of life thro' which we long have striven,
When we alas! must droop and die,
How sweet to have a hope of Heaven!

At the first meeting after his death Alfred H. Love, Henry L. Claghorn and Hon. George W. Hall were then appointed a Committee on Resolutions. After this a profound silence came over the meeting, when appropriate remarks were made by Henry L. Claghorn, Humphreys Garrigues, Jabez Wood, George W. Hall, E. M. Bruce, Dr. J. W. Walk, Dr. Charles E. Cadwallader and others.

We extract from his valuable reports received a short time previous to his death the following:

I am daily more and more convinced that the sins of omission are the parents of the sins of commission, for in my frequent visits

to homes, I often find mothers bestowing more care and attention on their flowers, than on their children. And again, we are all forced to notice the fact that the places where the seeds of morality, truth and virtue are sown, are few in number, compared to those where vice, immorality and sin of all kinds are engendered. Churches (the great levers of moral reform), are open but a few hours in the whole week, while on the other hand the places where the minds and bodies of all who enter are being corrupted, are shut but a few hours (if at all) during the whole week.

Taking into consideration the social nature of mankind, and the surroundings from which flow their respective influences to save or destroy, as the individual chooses, who is allured or led by others, with the great preponderance of attraction on the side of evil, is it to be wondered at, that there are so many that become victims, and perish in sight of our churches (God's houses of refuge), even in this Christian City of Brotherly Love? One placed in the position that I am, cannot help but notice the different crimes which are committed, especially among the youth of our City; although oftentimes boys are sent to prison, when after a little investigation on my part, they are found innocent of the charges.

For instance, a little boy of twelve years was charged, with two others, with stealing two pairs of suspenders. The mother (who was an invalid), explained the matter, and I was assured the boy was innocent. I saw the prosecutor, but he insisted on prosecuting. As soon as possible, I had the child's case brought before the Grand Jury, who after hearing the testimony ignored the Bill.

We continue to receive quite a large number of boys, most of whom are charged with petty larcenies. During the time the homicide cases were being acted upon, their cases had to be discontinued, and the result was, that those who were unable to get bail had to remain in prison to await the action of the Court.

I was very much interested in the case of a little boot-black who had been arrested for *being in the way* on the street. I learned he had an infirm mother whom he had supported by his industry. I secured his release and gave him sufficient means to again start in business. I have seen him since, and he is trying to merit my confidence.

Another case was that of a young man who with his wife rented

a room in a tenement house, but being out of work was unable to pay the rent, and being told that if the rent was not paid by Saturday night they would be put out, they left in the morning, in preference to waiting, as the wife was very ill. Some time after, the man got work, when he was arrested for larceny of blankets, but after the case was heard by the Grand Jury, he was acquitted, as it was thought it was a case of malicious prosecution.

Yet another case was that of a poor woman who rented one of her rooms in order to lighten her rent. When she asked the parties for rent, they became angry and had the woman arrested on a charge of assault and battery. On examination I found it was a false charge, and had the woman acquitted.

Another was the case of a poor woman. Her three children having been taken from her, she being unable to support them. Her husband (a worthless man) quarrelled with her for parting with the children. As the affair (taking place on the street) caused a great deal of excitement, they were arrested. He was sent to the House of Correction and she was committed to Prison. Hearing her story I made investigation and found she had always borne a good character and was a hard-working woman; but by sickness and the annoyance of a drunken husband, she was compelled to resort to charity for the aid of her children. I procured her a place in a small country town, where she consented to go, providing she was sent there. I sent the parties word and they came for her, agreeing to give her satisfactory wages. Some ten days after she went, I met the gentleman and he said his wife was well pleased with the woman, and intended doing well by her.

Another case was that of a man who had been committed to Prison a number of times for drinking. He was a poor unfortunate who, by satisfying his appetite for rum, had fallen from wealth and honor to a Prison cell. His family keenly felt the disgrace and the annoyance to his sick wife often made it necessary for his arrest. He became very low in his habits, going from bad to worse, and occupying such quarters as tramps usually find. Having heard something of his history, I often talked to him, but it was of no effect until I received word of the death of his wife when I hastened to his cell (after securing his discharge) to break the news to him. I felt keenly my mission as I did his situation. After a brief talk,

he realized where the trouble lay, and after promising me he had taken his last drink, left, and now it is three weeks and I have not seen him in prison since.

Another case was that of a boy fourteen years old, arrested and sent to Prison under the charge of larceny. On investigation, I found the lad had no home, the father being dead and the mother in the Insane Asylum. He had been living by charity, going from place to place with no one to care for him. The crime for which he had been arrested was the larceny of a pair of shoes, taken under the following circumstances: During the recent snowy weather the boy was cared for by a kind-hearted lady (in the shape of supper and lodging). In the morning he arose early and his shoes being well-worn he *traded* without consent—leaving his old pair for a better pair. For this *crime* he was arrested and sent to Prison. I persuaded him to plead guilty to the charge in Court, whereupon the Judge allowed me to take charge of him and get him a place. I kept him for a few days when a farmer (whom I sent for) came to see him and a mutual agreement was entered into. The boy went to the proper authorities and signed an indenture, and the farmer has thus volunteered to clothe, educate and protect this boy, who before this time was friendless.

The following was the memorial adopted by the Society and sent to Mrs. Heritage:

In the full tide of dedicated labor, with the ripened sheaves of his manhood; in the zenith of well-earned endearments, our friend and the friend of many in and out of prison,

CHARLES HERITAGE,

has been translated from the field "white unto harvest," to the higher life with its assured rewards.

If the annals of the "Philadelphia Society for Alleviating the Miseries of Public Prisons" were wanting in a character to represent purity of purpose, unselfish devotion and zeal animated by love and directed by wisdom, we should unhesitatingly point to Charles Heritage.

Two years and two months of service as our prison agent secured for him our confidence and affection, and for us a faithfulness, promptness, and efficiency, that declared the trust committed to his care was more than fulfilled.

Those who have heard his eloquent appeals at our public meetings, will remember how the cup of sympathy for the depraved and destitute seemed full to overflowing, and they could form some conception of the signal favor we enjoyed, who were privileged to meet him so regularly and intimately; a favor surpassed alone by the poor and misguided in its appreciation, as they were the direct recipients of his attention and counsel, and whose discharge he obtained whenever justice, mercy and humanity declared the doors should be opened. Comprehending the injunction "bear ye one another's burdens," he with a singleness of purpose entered into the condition of the weak and erring, and with his bright countenance, itself a benediction, his open hand of charity and his pleading admonitions, carried with him the full measure of "comfort ye my people."

Clear in his judgment and keen in his perception, that he might protect society, while he reclaimed the disturber of its peace, he secured the co-operation of Judges and Courts.

He was welcome everywhere, he was idle nowhere!

When we reflect how he would meet us with some of the startling incidents of sorrow, which from his office were so familiar to him, and he appealed to our sympathy, we recall the attention we could not but give him. We were as much transfixed as was the Wedding Guest of the poet Coleridge in his "Rime of the Ancient Mariner"—

"He holds him with his glittering eye,
The Wedding Guest stood still,
And listened like a three years' child
The Mariner hath his will."

Never will we forget, we who were privileged to hear him at the last meeting of our Prison Society, the last he ever attended, his earnest denunciation of the custom of sending mere children to the County Prison, of placing them sometimes with old and hardened offenders, often a number in one cell, and of delaying their hearing in Court beyond the time prescribed by law. He exclaimed, "What shall we do to save the children! I feel there is a terrible outrage in this custom! I am begging the Magistrates to stop it, and yet my record shows an increase of the number! Let us renew our efforts and demand a remedy!"

It is among the problems left us to solve, not so much why he was removed, as to how we shall fill his place.

The example of his life we have, but the successor who shall emulate it and satisfy us, and meet the needs of the hour, is not so easily found among the many gifts of God.

The heart of Charles Heritage was simply too full for the mental machinery to supply the demand. His brain was too active for the time allotted for its achievements. He lived ahead of his age in his aspirations, and he endeavored to compass more than human nature could endure.

In the very midst of his work, even while on one of his many missions of mercy, love and humanity, he dropped lifeless in his own faithful and unerring footsteps.

He had no need of longer preparation for the change. His life was a prayer, his works righteousness and his end peace. He had already obeyed the command, "Set thy house in order."

J. J. CAMP.

Soon after the death of Charles Heritage, the Inspectors of the County Prison appointed J. J. Camp to act for them in the position of Prison Agent. Mr. Camp took hold immediately with commendable earnestness, and although the work had accumulated, and was somewhat new to him, he managed to surmount all difficulties; and from the reports he has made verbally to the Society, there is no doubt of his meeting the views of the Inspectors.

He finds it impossible to do all they require, however, and to accept the position of Prison Agent for this Society, and render the full service it would desire. He has stated that there is work for at least two efficient agents.

He has rendered the Society service, however, both because he is a member of it and because he feels deeply interested in its beneficent work, and it is very grateful to him.

The brief period between his appointment and the making up of this report for the *Journal*, precluded the rendering of a detailed statement of his labors, although he expressed himself willing to add such as he might be able to present, if the Society so desired.

Another year it is hoped a full report will be rendered, when his services will be understood and still more appreciated.

EASTERN PENITENTIARY AGENT.

W. W. Walter is employed by the Society to visit the Penitentiary as its special agent. He sees those who enter and especially visits those who are about being discharged. He ascertains all the facts as to their future intentions, attends to clothing and aids them where required. His reports are interesting. We quote a few cases :

One young man was thrown upon the world friendless, he soon got into bad company, stole something and was sent to prison. I went to see him before he was discharged. He appeared penitent and bore a good record there, but told me he had no one to advise with, or assist him when he left the prison. I took steps to procure him a situation on a farm, with a man in Burlington County, N. J., where he will have an opportunity to attend Church and Sabbath school. I procured for him a suit of clothes and sent him to his place.

Another case was that of a man who served out a twelve years' sentence. He had never violated any of the rules of the prison, and as I believe experienced while there a thorough change of heart, so that while he was prepared to die, yet he had just come to that state where he was prepared to live—yes, to live an honest, upright life. For the last three years he has never partaken of his humble meal without first asking a blessing, and he and his cell companion had their regular devotions, morning and evening, always reading a chapter in the Holy Scriptures and engaging in prayer. He wished to get away from the companionship of his old associates. A good railroad situation was procured for him in Texas, where he was sent by the Society. Letters have been received from him since. He is doing well, and has his home in a good family.

Many more cases of a similar character might be cited, all going to prove the value of the agency, the expense of the support of which comes directly from this Society ; and although prisoners from the eastern half of the State of Pennsylvania, and occasionally the United States prisoners, are benefitted and cared for, the State does not contribute one dollar, although regularly appealed to for aid.

Mr. Walter supplies clothing, tools, lodging and meal

tickets, procures passages to distant homes, visits those in distress, and even after discharge keeps up a correspondence with them, and devotes time and money for this important part of prison work.

EMPLOYMENT COMMITTEE.

Members of the Employment Committee are actively engaged in trying to solve the problem of furnishing employment for discharged prisoners who earnestly desire to lead honest, upright lives in the future.

Eli M. Bruce has accomplished much in this direction, through having a farm in New Jersey, which may be the nucleus of a system that will establish the object desired, and of which more will be said in our next Report. He cites the following incident as an illustration:

An old man whose time of imprisonment had nearly expired, said he had been arrested when so drunk he did not know what he was doing. The charge was attempting to steal a barrel of apples. After he became sober he began to consider his wasted life. A ruined prospect he thought, until he put his trust in the Higher Power. He said: "What shall I do when I go out from prison, without a friend, without a dollar, without clothes fit to wear, or a place to sleep, or means to obtain a mouthful of food?"

When told he should be provided with a temporary home, he buried his head in his hands, and cried like a child. He was sent to the country, on a farm, given a suit of clothes, and such work as he could do. He proved worthy of confidence, and faithfully attended to his duties. He was well acquainted with the Scriptures, and said, that in former years he studied them to find arguments against them, but now he found them precious. He quoted: "Let the wicked forsake his way, and the unrighteous man his thoughts." "Yes," he said, "I have done this and will continue. I was once shipwrecked on the Florida reefs, and the thumping of the vessel on the rocks told but too plainly the vessel would soon go to pieces. The captain shouted: 'Every man for himself! If you can secure a plank, and cross the smooth water beyond the breakers to yonder light, you are safe! Don't relax your exertions a moment for the water is full of sharks.' I followed his directions—I was saved!

My life has been wrecked on the rocks of intemperance, and now I am on the shore with God's promise. I don't intend to relax my exertions a single moment. I know I am surrounded with dangers."

This man went to sea again, and he said upon parting: "I have done my share to degrade seamen, now I shall spend the balance of my life in elevating them."

THE OFFICIAL MANAGEMENT.

The Prison Society would be derelict in its duty if it did not pay the tribute, of justice and commendation to Inspectors, Wardens, Superintendents, Physicians, Moral Instructors, Matrons, and all officers connected with the Institutions visited by its Committees.

The male and female departments, the corridors and cells, the hospital wards, are all properly managed, and the kindest courtesy extended to the Visiting Committees.

The improvements adopted from time to time by those in charge, show that the charge committed to them has their constant attention and deepest thought.

The Moral Instructor, Rev. J. Y. Ashton, at the Eastern Penitentiary, with singular ability and entire satisfaction, continues the ministrations of good in his truly liberal and effective manner. He has brought around him a company of sincere and devoted co-laborers, who, especially on the morning of the first day of the week, are promptly in attendance to act under his direction.

To walk through the long corridors with Warden Cassidy, after the day's work is over, or on some holiday, and hear the prisoners in their cells singing, or playing upon musical instruments, would convince any one of the success of the system so ably carried out by him.

INCARCERATION OF CHILDREN.

In *Journal* No. 23 (1884), reference is made to this subject, and the Society's letter to the committing Magistrates is published.

At a stated meeting of the Acting Committee, the following communication from Magistrate Brown was received in reply :

To J. J. Lytle, Secretary of the Philadelphia Society for Alleviating the Miseries of Public Prisons :

The printed circular signed by yourself received ; and I would respectfully state in reply, that my sympathies are largely with the poor degraded criminal, especially with the juvenile criminal of which I send very few to prison, preferring such homes as are provided,—Catholic homes for children of that denomination ; and the House of Refuge in my opinion is far preferable for incorrigible children who require discipline. I have a high opinion of the House of Refuge under its present able management. An objection is the name. It should be called "School of Reform for Minors." The Judges of our higher courts having jurisdiction over commitments made by Magistrates to said institution, should injustice be done in their opinion, have the power to correct or revoke it.

A reformatory institution, in my opinion, is very much needed for minors over sixteen years of age, after which age they are not admitted to the House of Refuge. These years of minority are the most vital of life for the wayward youth. Money appropriated by the citizens or State for such an institution would redound in blessings to the founders and donors. I have a very poor opinion of the House of Correction, as a reformatory for minors. I send none there. The crowded condition of our County Prison is truly alarming, but could be obviated largely, and the prison miseries of criminals alleviated as accorded by law, within forty-eight hours instead of weeks, as your circular truly says, in the summer season, especially during vacation of our courts, by the establishment of a *Magistrates' Police Court*, composed of three Magistrates, alternating each month, for the trial of petty cases, requiring no Grand Jury indictments ; having a panel of twelve or eighteen Jurors, drawing six of their number. The commonwealth being represented by Assistant to District Attorney. Also the defendant represented if desired. In this way all the trifling cases that take up so much of the time of Grand Jurors, and courts, could be dispensed with, and their attention given exclusively to those cases of larger magnitude ; thus relieving the crowded condition of our

County Jail ; alleviating the miseries of Public Prisons, and saving annually to the County, thousands of dollars. This is a plan and a suggestion. What do you think of it? I have the honor to remain

Very truly yours,

CHARLES BROWN, *Magistrate*.

It was resolved that the Secretary consult the Counsellors of the Society, in regard to the above plan, and get their opinion as to the propriety and policy of the suggestions, and if approved, what steps should be taken in order to secure the plan proposed.

In reply we received the following :

To John J. Lytle, Secretary, &c :

Dear Sir :—I have received your communication of late date enclosing a copy of the circular distributed by the Society to the various Magistrates of this city, and also the reply of Magistrate Charles Brown to the same. The only portion of Magistrate Brown's letter which calls for legal comment, is that part suggesting the establishment of a *Magistrate's Police Court* for the summary trial of petty offences, to the end that the length of time spent by petty criminals in prison while awaiting trial may be shortened. The plan is not altogether untried in this State, and if the Legislature should see fit to erect a Court of the kind proposed in the County of Philadelphia, I can see no objection to its doing so. By the Act of May 1st, 1861, P. L. 682 (Pur. Dig. P. 396)—

“The several Justices of the Peace of the Counties of Erie and Union be and are hereby authorized to hold monthly Courts, with jurisdiction to hear and determine a large number of petty criminal cases, including malicious trespass, assault and battery, and larceny under the value of ten dollars.”

The method of procedure pointed out in this Act is exactly that which is outlined by Magistrate Brown, with the exception that Mr. Brown would have three Magistrates to preside at the sessions of this Court, whereas under the law of 1861 a single Justice has authority to impanel a Jury.

The method of criminal procedure pointed out by this Act has apparently found favor in the interior counties of the State, and its

provisions have been extended to many other counties and boroughs by upwards of twenty subsequent Acts.

The borough of Phoenixville is the place nearest to Philadelphia where this Act is in force, and I would suggest a reference to the authorities of that village for information as to the practical working of the proposed system.

Nothing certainly can be done in the matter until the next meeting of the Legislature, and the length of time that will elapse before that again occurs will furnish ample opportunity for the collection of information upon this subject.

It would therefore I think be premature to express an opinion upon the advisability of urging, for adoption in this County, the plan of Magistrate Brown.

Very Truly Yours, A. SYDNEY BIDDLE.

CONVENTIONS ON PRISON DISCIPLINE.

Whenever conventions on Prison Discipline are to be held the Society appoints delegates, from whom we receive valuable reports which are read at the meetings.

At the conventions at Greensburg, Pa., and at St. Louis, Mo., there were delegates in attendance. Rev. William L. Bull reported for the former, which gave important information. T. J. Whitney attended the St. Louis convention and reported. It was announced there that at the last census there were 58,609 criminals, and with all others in Reformatories and Almshouses there were 420,000, or about one in every 120 of the population. 105,586 are children under 16 years of age, and 38,857 are between 16 and 21.

THE LATE CHARLES F. DIVER.

At the meeting of the Acting Committee, held Tenth month, 16th, Alfred H. Love announced in a feeling manner the death of our late member, Rev. Charles F. Diver, and submitted the following tribute to his memory which was adopted, and A. H. Love, George Taber, and H. M. Laing, were appointed to convey the same to the family of the deceased:

In Memory of Charles F. Diver.

After nearly seventeen years of devotion to the spiritual and temporal welfare of the prisoner, Charles F. Diver has been removed from this life.

He has been a member of the "Acting Committee" of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," attending our meetings, serving on special committees, and officiating at the Eastern Penitentiary at times as teacher and minister. He was also agent for discharged prisoners from that institution, appointed by and under the direction of this Society.

He has deserved well of his fellow men, and has served the cause of humanity from a conviction that he was fulfilling a duty laid upon him by the Father of us all.

Reaching the ripe age of 71 years, he made his impression on the work to which he was led, and gave additional weight and dignity to it, because of the assured sincerity of purpose in behalf of righteousness and the good of all.

"Mark the perfect man and behold the upright, for the end of that man is peace."

CIRCULAR LETTER TO PRISONERS.

For nearly one hundred years the Prison Society has been publishing, to what may be called the outside world, its best thoughts on penology; it has never before this year sent a direct communication to those in penal institutions.

This was done for the first time on New Year's Day, 1885. About 3500 letters were printed and distributed to each inmate of the Eastern Penitentiary, County Prison and House of Correction. The letter was handsomely printed on a card, with the picture of a fine intelligent boy on some, and on others that of a lovely little girl. The effect upon the prisoners was especially gratifying. Some framed them, others placed them in their Bibles, while others sent them to their children outside.

It was regarded as a revival of the good old custom of the Epistles; that it might awaken new thoughts for a better life; and inaugurate a yearly custom which would be a new and excellent movement in penal discipline. While those who

are out of prison send Christmas cards and New Year greetings, it is but right to think of those whose homes are not so favored. The following is the circular referred to :

Message of the Philadelphia Society for Alleviating the Miseries of Public Prisons, to the Inmates of the Eastern Penitentiary, County Prison and House of Correction.

Philadelphia, Jan. 1, 1885.

Although our situations in life are very different on this day, which is regarded throughout the world with peculiar interest, because it seems the starting point for a new life, we cannot forbear sending our "Happy New Year" greeting.

As we cannot see you all on this day, we want you to know that our thoughts are with you ; with our hope, sympathy and encouragement for your well-doing.

During the ninety-eight years the Prison Society has existed, its Acting Committee has endeavored to fulfill the injunction "to visit those in prison" and relieve the unfortunate ; but this is the first time it has in this manner issued the promptings of the spirit, to assure you that your New Year can be made useful and happy in proportion as you conduct yourselves in accordance with the Divine light within each of you. Notwithstanding all the circumstances that surround you, we would remove clouds and discouragements and impress upon you that there is very much to be thankful for and very much for you to gain.

"Seek and ye shall find" is an incentive. If you seek comfort and strength you will find it. It is a privilege to live, and every one has an influence. Let it be for good ! As the new year opens to you, make honest resolutions to be equal to its demands, and to live up to the highest convictions of duty as our Heavenly Father gives you to see them. Wherever there is hope ahead, there is something to live for. The promise is to you as to all others. Liberty and a good name are worthy your best efforts to secure.

Keep alive every aspiration for a better condition. The Divine Power is with you and will "strengthen and sustain."

"In all the maddening maze of things,
And tossed by storm and flood,
To one fixed stake the spirit clings :
We know that God is good !"

In this feeling of a common humanity, we send our message, assured you will appreciate the offering, for it comes from your many interested friends.

By order of the Society.

JAMES J. BARCLAY, *President*.

JOHN J. LYTLE, *Secretary*.

LETTERS FROM PRISONERS.

Letters are frequently received from prisoners which attest the reformatory influences of the Pennsylvania system. The following are samples of many :

To the Philadelphia Society for Alleviating the Miseries of Public Prisons :—" Into each life some rain must fall," and so it is with me to-day ; but thanks be to God, amid all the estrangements and separations throughout life (very frequently caused by sin) there is often a "silver lining" appears, the clouds break away, and the "Sun of Righteousness" arises with healing, warmth and comfort, making even a prison appear to me a means of spiritual regeneration and moral reform.

I may be asked by some not fully acquainted with this subject, how this can be? I can conscientiously say, the humane and elevating methods that are originated and carried out by the Warden and the Overseers contribute largely to that end. Added to these benefits which produce such good results are the kind continued efforts of your Society, which in the past have improvised so many just and philanthropic measures which, formulated into intelligent shape, many of them through your persistent efforts, have become the subject of legislative enactment. The visits to the prisoners on the Sabbath day by members of your Society are highly appreciated by myself and, as far as I am able to judge, by other inmates. It seems to me that your Society is a representative influence such as our Saviour meant to exemplify in His life, "going about doing good," to those who greatly need Christian influences to ennoble and restrain them. The self-sacrificing spirit which permeates the members of your Society, as far as I have become acquainted with them and their work, causes in my heart such thankfulness that I shall endeavor to prove myself worthy of their work, by a correct course of conduct when I am restored again to Society. Mr. Bruce,

at the County Prison where I was awaiting trial, did much as an instrument under God's mercy and blessing to lead me to His Divine fold.

The systems of separate instead of congregate labor, of the just task and appropriate work, "for labor is worship," of well-prepared food, the refining influence of literature and music, should most certainly be the means of changing a man unless he be lost to all sense of manly pride and grateful appreciation. The multiplicity of cares surrounding the Warden and the Overseers, Chaplain and Doctor, does not prevent them (as far as I am able to judge) from studying the characteristics of the various prisoners; and from the advice given to us, frequently show that they understand us better than we do our own selves. Our Moral Instructor is a Chaplain whose cheerful demeanor and faithful ministrations we appreciate.

From another we extract the following:

The man who benevolently comes with words of cheer and consolation into the convict's cage, be he Christian, Hebrew, Pagan, or Infidel, is alike, the noble benefactor, and institutor of good. As we know that fine clothes cannot conceal an abject heart, so, also do we know that the true act of charity does not lie in donations publicly paraded by the contributors to exhibit themselves to the world, that, therefore, the true man of charity is he whose labor and self-sacrifice is done silently and heartfelt; that the efforts of him whose life is spent in comforting and contenting by words of truth and integrity, the burden of unfortunates, conveys far truer benevolence than he whose gold is given to effect the commendation of the public tongue. Whether the word of cheer comes from the lips of the ministering man of piety, or from the ordinary well-wishing man of the world, is equally alike to the sinner, and equally acceptable to God.

THE PAST, PRESENT AND FUTURE OF "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

[Contributed.]

Contemplating the wretchedness of prisoners as treated a century ago, and the humane motives for the origination of this venerable society, the first in existence in the world, who does not feel a glow of admiration for the few advanced minds who conferred lasting honor on Philadelphia, by the inauguration of a system of tender care for the unfortunate of human kind? These men could not believe in the total depravity of any portion of mankind, however much unpropitious circumstances might warp the lines of rectitude.

Viewing the vast field into which crime and the methods of its punishment and restraint have expanded, with the prisons so increased in magnitude and numbers, and their inmates counted by the many thousands, the stream of law-breakers increasing,—are we conducting the prison work properly, and in a truly economic and philosophic manner? Have we clearly discerned the causes of crime, and the extent to which the individual criminals and society at large are responsible, so as to be able to see what the remedy must be and how it must be applied?

If society cannot escape from this duty to any and all of those who become criminals, would it not be immensely cheaper and better, more satisfactory in every way, to devise a method of education, intellectual, moral and industrial, which shall properly provide for all its members, so that none shall become criminals through any neglect of development, or from the want of proper employment with just remuneration, and thus *prevent crime* rather than endure the disease and the burden of its cure? Either the burden of prevention or that of cure (which never is a cure), must be borne; which shall it be?

With all the light shed on the subject by the experience and publications of prison societies, we are forced to feel that

the final solution of the problem is yet to be found and applied; and that it is quite probable that our whole system of criminal jurisprudence will have to be remodeled or replaced by one in which the prevention of criminality by philosophic methods, will be sought and accomplished.

It must be remembered that crime is not confined to the uneducated and impoverished class.

Something is lacking in our system of life and teachings, to perfect the moral sense itself, and to give it free and full scope; and that something must be found and applied before we can be delivered from the enormous burdens now resting upon us, which are neither more nor less than the inevitable results of our defective system.

Probably the greatest result of all the efforts of the prison societies hitherto, has been the awakening of a wide spread interest in the subject, and the generation of a much better tone in the public mind towards the unfortunate.

One of the difficulties in the way of the philanthropists is, to secure the appointment of just persons as Keepers of prisons.

Society should see to it that prisoners are most scrupulously protected in all the rights and privileges not forfeited by law; because for those who are appointed to administer justice to the unjust, to themselves descend to injustice in their administration, is to confound all moral sense, especially that of the prisoners, and thereby perpetrate the worst of crimes; one not only against justice itself, but also against all confidence in moral effort.

Resisting evil by cruel force is founded in error and is unchristian, both in theory and practice. The work of "alleviating the miseries of public prisons" is in opposition to the feeling of retributive vengeance so common to humanity in its first unnatural, unenlightened conception of justice; and is in the Christian direction of "overcoming evil with good." The thousands of instances of the merciful touch of the tender hand of the Society, its movings to repentance and reform,

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and assistance therein, its sustaining power to the unfortunate who seek to regain and maintain a respectable position in the world in the face of universal distrust and its almost insurmountable difficulties, and its encouragement to the despairing, are precious works which will never be but faintly known to the general public.

Let us look at the magnitude of our prison system, its immense cost and burden to the community. In the State of Pennsylvania we have sixty-six counties; and each county has its jail. The ground and buildings of each of them will average a cost of \$50,000. Some of them cost three times this amount. Here we have \$3,300,000 invested. The Western Penitentiary, ground and buildings, cost \$1,000,000. The Eastern Penitentiary cost, up to 1835, \$772,600; and it has been enlarged at a cost of double of this amount within the past fifty years; and has cost altogether \$1,542,200. The present worth of the ground on which the prison stands is \$325,000. The County Prison cost, up to 1835, \$450,000, and it has cost to enlarge it, over double that amount, \$1,000,000. The ground on which the County Prison stands is worth to-day \$160,000. The House of Correction buildings and ground cost, say \$1,000,000. Here we have invested in buildings and ground \$8,780,200. And it costs to feed, clothe, and take care of the sixty-six County Jails, at \$10,000 each annually, \$660,000; for the Eastern Penitentiary, \$100,000; County Prison, \$85,000; Western Penitentiary, \$100,000; House of Correction, \$95,000; making a total of \$1,040,000.

If we had the statistics of the cost of all the Courts, Judges, Juries, Attorneys, and Police, the whole would amount to probably twice as much more; an enormous burden to the State, to say nothing of the loss of \$8,780,200 of dead capital invested in ground and buildings; and the same burden in proportion to the population is, no doubt, resting upon the people of every State and Territory in our Country, amounting in all to many millions of dollars; to say nothing of the toil

and cost of the various philanthropic societies caused by lawbreaking and the system for its suppression.

This enormous burden, by all the lessons of experience in the present system, if the same be continued, must steadily increase in the future, as it has in the past, in proportion to our increase in population, and perhaps much faster as the population becomes more dense and the struggle for existence in our competitive system of industry becomes more desperate. What is to be done with this burden? Is the burden itself a vast penalty which society as a whole has to pay for its own injustice to portions of its own body? How shall we deal with this great portion of the domain of human life? There must be an industrial system for prisons.

How can we expect the criminal class to reform and come to an honest standard of conduct, if society unjustly fails in duty to any part of itself, and by its criminal neglect, if not by positive injustice in its legal enactments, and general system, induces crime? Must not the criminal example of society, contrasted with the precepts of righteous regard for others taught the criminals, rankle in their minds, and in the very nature of the case induce in them the sneer of contempt for all pretensions to virtue as being nothing but hypocritical pretension. Neglected, destitute of the means and opportunity of earning a living, as they often are, and thus forced into the prostitution of their persons and powers, and then mercilessly hunted down as wild beasts, must they not feel that they have no defense but that which beastly cunning and desperation afford? If society cannot establish a purely just system of the relations of all mankind to each other, how can it expect individual honesty in its members, and especially in its lowest, most neglected, most desperately situated, weakest and most ignorant portion? Let us weigh well the remark of Dr. Wayland Hoyt: "You and I are more responsible for the presence of those in that prison yonder, than we are apt to think." Truly we are; and in many more ways than those he mentioned. It was good and truthful in

him to thus take home and declare society's involvement in the responsibility for the crime itself, and, consequently, in the criminality. Is not, then, this whole system of the correction of criminals, with all its vast burdens, and all the unrest and insecurity inflicted by crime, the penalty inflicted by natural law upon a criminal state of society? And can there be any escape from it for society itself, any more than there is for any of its individual criminals, except in its own repentance and reformation? This must be so, if, as Dr. Hoyt said, we are bound with the prisoner in the responsibility for the crime, and crime can only be thus eradicated.

Compulsory education is being admitted to be a necessity; and this education must, to be complete and do justice to all parts of society, include a knowledge of useful arts for both sexes; and the idle must be provided with the opportunity, and, if need be, constrained to apply themselves to the acquisition of a knowledge of useful arts, and to a self-supporting practice of the same, before society can be freed from the responsibility of affording an excuse for, or an incentive to crime.

The danger to society is enhanced in proportion to that of the criminal; and the sacrifice of the liberty or life of the criminal, besides being an enormous burden, is but the most paltry satisfaction for the loss of the lives of good citizens and the loss of the peaceful security of society. Here it is easy to see that society pays just as much a penalty for every crime committed, as does the criminal; nay, more; for the criminal often escapes but society never; and this is the justice, the fiat of nature against society's neglect of its own duties. The truly economical and safe system will only be found in pure equity to all. The great branch of our educational system which would be preventive of crime, may be a separate branch of our corrective system, it being enforced by law.

Paying the sheriffs so much per capita for feeding prisoners, demands serious attention. The system is an

incentive to unjust deprivation of prisoners for the realization of profits, corrupting both the prisoners and society. Why try to reform prisoners while we permit a fraudulent traffic in their woes? Prisoners should know that justice is being done to them by the society which is demanding justice of them.

The surest evidence of reform of prisoners will be found, not merely in profession of religion and the performance of its ceremonies, but in the fact of their willingly and habitually doing right, and in their respect to those in authority over them. The manifestation of respect for all who come in contact with them is a sign of their belief in their own right to respect, and the surest road to that self-respect which is the companion of an honest purpose. Our corrective system should keep the hope bright for the acquisition of excellence of character and development of righteous powers, which shall make every other hope of our common human life spring into activity.

The honorable discharge of a prisoner can be the best recommendation to any employer. There must be a just, practical and economic course to manage this whole subject; and a scientific system can be devised which shall be educatory, corrective and self-sustaining, incalculably beneficial, not only to the salvation of the criminal, but to the salvation of society itself. In its correct administration we shall find the extinction of all dangerous lawlessness.

Society, with all its advantages, needs much more exercise of its powers ere it can be the perfect blessing to humanity it is capable of being made. The rights of mankind and their corresponding duties need to be clearly defined and indisputably established, so as to command universal respect. These rights and duties are now often infringed and obscured by our legal enactments. How is it possible to escape from the blunders of an imperfect system, except by the perfection of the system by making it so perfectly equitable to all parties that it cannot be gainsaid?

That which society does sanitarily for the physical health of the whole community, by the prevention of disease, it should do by a moral sanitarium for the prevention of moral disease in the whole community and for the same reason, namely, because the moral safety of all depends on the moral health of all ; and that we may clearly know who, if any, are willingly lawless, when there is no necessity for criminality through hopeless destitution either of knowledge or the opportunity and means of honest industry, and know what is, or is not, morally curable.

OUR SISTER SOCIETY.

The Prison Society of Paris has won for itself high praise for the admirable papers it publishes in its official Bulletin, written by the ablest of French scientists, on questions of Prison discipline.

The interest manifested by the members of our sister society is most encouraging. The contributions from active and honorary members to the society in Paris and France, indeed in Europe, are valuable. They treat of questions which are associated with the science of Prison discipline. These papers are in themselves almost exhaustive of the subject they discuss. Every branch of these subjects is investigated,—the social, economic, penal, preventive and punitive elements of crime punishment in their relations both to society and the individual are examined. Those who are studying these questions will find abundant information in the Bulletin of the Prison Society of Paris.

It is due to the able and earnest men who are devoting so much time and study for the enlightenment of Europe on Prison discipline, the best system of convict punishment, the true administration of the individual treatment system, to express our admiration at their work.

The question of cost is engaging very serious notice. The effect of systems is likewise attracting close investigation. If

any words of ours, the oldest American Prison Society, may encourage the devotion to their important subject, we earnestly hope they will reach such a result.

BUCKS COUNTY PRISON.

There never yet has been a well-considered plan for a County Prison in this State. It is at least remarkable that this should have been so. The reason is patent. County authorities, called on to erect a County Prison, have been governed only by the motive to adopt the cheapest plan by which a building could be constructed to hold the prisoners safely. It was not of importance what the plan should be, if the edifice was stone and iron, and promised security. The result has been, that the architect, limited by a most mistaken economical theory, made enough of ornament to distinguish the building from a Church or a Court House, and failed to consider the purpose for which it was to be used. Light, air, room, ventilation, heat, supervision and discipline, were not considered. The building was erected and a prison was said to be complete.

This was the condition of affairs in this State until the law was passed establishing Boards of County Prison Inspectors. This took the control and management of the County Jails, out of the Sheriff, and placed them in a more permanent body of men only engaged in this single duty. Then came great improvements in County Prison buildings. Yet there was no distinct and positive plan adopted for all such institutions.

There are several County Prisons in this State, of very great merit, as advance has been made in the better understanding of what such prisons ought to be. The chief difficulty laid in inducing the County authorities to appropriate enough money properly to build on approved and adequate plans for such structures. This indisposition is yearly yielding to a higher understanding of prison discipline. Men of larger views are

giving the influence of their study of the matter, with marked benefit.

The County of Bucks has set an example worthy of the close investigation and examination of County authorities which are about to erect prisons for their localities.

The Bucks County Prison at Doylestown, just completed, is a model building in every respect. The plan is almost perfect; its adaptation to its purpose is most admirable. It is built on the best understanding of a prison, and the uses of a prison. There is not in the United States a more complete penal institution, as far as its architecture, its appliances, the lighting, heating, ventilation, and compactness for the best discipline of such an institution. It may be said to be the model County Prison. Of course it is not likely to make any impression on those who are about to build a new County Prison for Philadelphia County, to take the place of "Moyamensing Prison." There are too many people in Philadelphia, who, knowing but little of prisons, and what they ought to be, to agree to a plan that is likely to meet the essential needs of such an institution. It is so difficult to make those who have no experience act with knowledge.

But it is only just to those who have been concerned in the erection and completion of the Bucks County prison to give them the just reward for their labor. It is the model County Prison.

WHAT WE NEED.

Addressing so many earnest friends of Prison discipline as the Pennsylvania system exemplifies, it may be permitted to say to them what is now the pressing want of the advocates of this system.

Our ancient society has, by its blameless history, relied only on the influences of intelligent consideration of the subject, properly and modestly expressed. But it would seem now that active efforts are necessary to disseminate the opinions of our society.

The wonderful advance that has been made within the past decade in Prison reform in other States, requires that our society should realize the need, on its part, of keeping up with the discussion of the subject. We make these reflections, that our friends may consider on the importance of decided action on our part, and be prepared to unite on some well-devised plan by which such action may be made effective. We know there are many who feel already the force of these suggestions. It is the united efforts on the basis of agreement as to what such efforts shall be, that is now important.

STATISTICAL TABLES.

It is said that anything can be proved by figures. This may, in some cases, be true, especially in accounts where dishonest experts try to "force balances." But it is not true of those figures which are used as symbols to represent facts, for the facts can elsewhere be demonstrated.

It is to be wondered at, that so few prisons in the United States give tabulated tables covering the populations, dividing the whole number as age, crime, personal character, conviction, trade, school, and the precedent social relations of each convict. It would be of importance to know the history and characteristics of every person sentenced for crime in each of the State Prisons.

Legislation as to crime causes and crime punishment would be better adapted to public security, or, at least, public advantage, if there were known grounds on which to rest it.

Take for example one very important incident to the administration of criminal law. How can a Judge wisely and prudently sentence a convicted person for a crime, if he only is informed by the indictment what the crime is, and by the verdict that the person indicted is found guilty. The code declares the term of sentence for a crime shall be not more or less than a defined period. The Judge has the option, so guesses at

the number of months or years he should fix as the period of imprisonment.

It is absurd to suppose that such a basis for sentence is predicated of any sufficient knowledge of what is deserved. The Judge, not knowing, because there are no means by which he can be informed, fixes the term, and the convict is sent to prison under the sentence.

Then it is that the prison authorities have to discover, or ought at once to begin the investigation as to the character of the person and his inducements to crime, if it is his first offence, or if he is an old offender, and further ascertain his history. It is so often found that after these inquiries are ended, the sentence is too long or too short, and the punishment has to be so adjusted as to secure the best results. These prison statistics are of great value therefore, in this view of the subject at least, if in no others.

We hope that ere long the State penal institutions will prepare tables based on those coming yearly from our *Eastern Penitentiary* or improve on them, so there may be a history of crime and the relations of convicts to crime, and the individual motives and inducements to crime and what, if any, were the incentives to crime commission under which such prisoner had been subject before his first offence may be attainable.

It is not difficult to prepare such statistical information and as to its value there can be no substantial doubt.

TRADE TEACHING.

No one can examine the reports of our State Penitentiary without being startled at the number of young men who have attended public schools, and who are convicted of some crime.

It is as remarkable that lately so many are convicted who have been well taught in school teachings. These facts are to be carefully considered. To jump at conclusions from a partial study of them is unwise. Connected directly with these facts

is the **social** relations of each of these convicts. These are of importance. **What** is called education or the acquirement of knowledge, large or **small**, in schools, does not necessarily prevent crime. May it not be a cause of it? Are the crimes of these young men dependent on their mental capacity?—is not this education then the means **used** to commit them? The tendency is likely to suggest crime, **rather than** work, for the support of these youths. A lad **who has** received the advantages of school teachings is not willing to learn a trade, because he thinks he is above the necessity to labor with his hands, since he is possessed of an education. He rather seeks such employment as he is, as he believes, educated to carry on. Rather than learn a trade he prefers a position without work. The demand for such employé's is more than abundantly supplied. What then? Bad associations, evil ways, and to get money, crime!

It is too plain to admit of argument, that this is too often the outcome in many cases. The prevention is to be found in a method by which *trade teachings* shall be associated with *mind teachings*. Let each hold its own position in public instruction. Let it be so that a graduate of a trade-school shall rank as the equal of a graduate of any school. A lad *taught* a trade will seek employment in the branch of industry with which he is familiar. The State should establish a State trade-school, and after full examination, and acquired experience, send to such a school, youths who lack the capacity for instruction in intellectual branches, but who show positive capacity for handicraft skill teaching. It should not be an involuntary consignment of even wayward youths to custody. It should rather be the parental care by the State of those who probably might else be convicts; a parental care governed only by the method of parental government. This is at least worthy of study.

MEETING OF PRISON OFFICERS.

Those who are seriously in earnest on the vital subject of prison treatment for criminals, will be rejoiced to know that during the past year, two meetings have been held of the chief executive officers of the penitentiaries and prisons of the States of the Union. It was a wise movement. The ostentatious gatherings of persons who by some process claimed to be the exclusive exponents of the right method of convict punishment, seemed to have utterly failed in making any impression on the public mind. The circle in which these assemblages were confined was so limited, that they were but the reappearance from time to time of four or five active participants in the proceedings.

The important questions which lie at the very foundation of systems for crime punishment were either obscured by the clouded views that attended the discussion of crude notions of the details of administration, or the imperfect attempts to explain particular features of some exploded or antiquated methods which were sought to be galvanized into present reforms.

It was observed that something must be done which would give to the consideration of this subject vital intent. The chief originators of these pretentious assemblages exhausted their force in disseminating what they wished to accomplish.

Fortunately it was suggested that those who had been engaged in the practical duties of administering systems of punishment were better fitted to take hold of the subjects involved. Two meetings of Prison Superintendents have been held.

The results have been signal. Sound sense, experience, practical knowledge, unitedly applied to the treatment of convicts sentenced for crimes, have had opportunity to express themselves.

We do not now propose to examine the reports of the proceedings of these meetings. Our purpose is to compare

the effects on the subject of convict treatment, which come from these meetings, with those of the gatherings of noted men who, by these society re-unions gain some prominence from special correspondents of newspapers.

These prison officers' meetings have brought out the actual condition of the methods of managing prisons. By this means reliable information is obtained as to the methods adopted, how each operates, by what principle applied, the aim and intent of the method, the relations between the State and the individual prisoner, on what basis the convict is placed to receive and undergo his punishment, if he is regarded as a chattel or a human being, if his punishment is adapted to his character, crime-cause, antecedent social relations and his individuality. It is in vain to treat of systems of punishment until it is known what constitutes punishment, and on whom it is to be administered.

The prison officers' meetings will tend to develop facts which directly relate to these essential and important subjects. They ought to be encouraged. They should above all things be left free from the direct and indirect interference from these great societies, whose titles would overawe the ordinary mind of plain practical men.

In time, it will be possible to collect and digest from these prison officers' deliberations, arguments on which present prison systems may be fairly and dispassionately judged. Then too, it will appear how much, or how little, claim any of these now popular methods have to the particular merits they assert belong to them.

It is most likely too, that objection on the public mind to other methods may disappear. It is reasonable to hope that arguments now made against some system on the plea of expense, will be so rudely destroyed as to leave the way open for a more thorough examination of them.

Above all, it will be made manifest that the public service in prison management is a vocation requiring other qualifications than the political party rewards for broken down or bankrupt

political agents. Because a man can secure a partisan prominence as a local agitator, he is not fitted for the duty of treating incarcerated men, convicted of crimes, so that they may be taught the purpose of their punishment, and apply it as each convict needs for his benefit and that of society.

It is this view of the advantages which we hope will result from frequent meetings of prison officers.

If it be found that a training is essential for qualifying subordinate prison officials for their service, and a permanent tenure of such official position is equally necessary to secure competent, capable, intelligent men, then these meetings of chiefs of State Prisons will go far to secure these results, because the moral power of their opinion will have great influence on public opinion.

Dr. *HENRY M. LAING, Treasurer, in account with "Philadelphia*

1884, 1 Mo. 24.	To Balance, ...	\$ 998 33
	" Cash received from Subscriptions, . . .	363 50
	" " " " Interest on Investments, .	1,107 40
	" " " " Barton Fund, . . .	250 00
	" " " " Balance of Interest, . .	79 75
		\$ 2,798 98

Society for Alleviating the Miseries of Public Prisons."

CR.

	By Cash paid Agent of County Prison, ...	\$ 300 00	
	" " " " Eastern Penitentiary, . .	300 00	
	" " " Committee on County Prison, . .	410 00	
	" " " " Eastern Penitentiary, . .	250 00	
	" " " Rent of Room, ...	80 00	
	" " " for Mortgage Investment, . . .	784 00	
	" " " Printing Journal, &c., &c., . .	150 85	
	" " " for 1 page monthly, and 100 copies monthly, and editorial work on Pen- ology in "Peacemaker," for one year,	50 00	
	" " " Secretary, ...	100 00	
	" " " Sundry Expenses, ...	187 00	\$ 2,571 44
1885, 1 Mo. 22.	Balance, ...		\$ 237 54
BARTON FUND.			
1884, 1 Mo. 24.	To Balance, ...		1,397 80
1885, 1 Mo. 22.	" Cash received, Interest, ...		110 00
			1,507 80
1885, 1 Mo. 15.	By amount transferred to General account for Committee on Eastern Penitentiary, . .	250 00	
1 Mo. 22.	" Balance, ...	1,267 80	\$ 1,507 80
HENRY M. LAING, Treas. <i>Philadelphia, 1st mo. 22, 1885.</i>			
Having examined the account of Henry M. Laing, Treasurer, and the vouchers, we find it to be correct, with a balance in his hands of two hundred and twenty seven $\frac{54}{100}$ dollars; also a balance of twelve hundred and fifty-seven $\frac{80}{100}$ dollars due the Barton Fund. CHAS. ROGERS, } JOHN J. LYTTLE, } <i>Auditors.</i> PHILADELPHIA, 1st mo. 28th, 1885.			

ARTICLE V.

The Acting Committee shall consist of the officers of the Society, *ex-officio*, and fifty other members. They shall visit the prison at least twice a month, inquire into the circumstances of the prisoners, and report such abuses as they shall discover to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death, or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society, or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a Life Membership. Any person paying not less than five hundred dollars shall be called a Patron of the Society.

ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

ARTICLE VIII.

The Society shall hold Stated Meetings on the *fourth* Fifth-day (Thursday) in the months called January, April, July and October, of whom seven shall constitute a quorum.

ARTICLE IX.

No alterations to the Constitution shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, held not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided, the Presiding officer shall have the casting vote.

Extract from "A further Supplement to an Act entitled, An Act to reform the Penal Laws of this Commonwealth."—Sec. VIII., Art. 7.

OF VISITORS.

No person who is not an official visitor of the prisons, or who has not a written permission according to such rules as the Inspectors may adopt as aforesaid, shall be allowed to visit the same: the official visitors are the Governor; the Speaker and Members of the Senate; the Speaker and Members of the House of Representatives; the Secretary of the Commonwealth; the Judges of the Supreme Court; the Attorney General and his Deputies; the President and Associate Judges of all the Courts in the State; the Mayor and Recorder of the cities of Philadelphia, Lancaster and Pittsburgh; Commissioners and Sheriffs of the several Counties, and the "Acting Committee of The Philadelphia Society for Alleviating the Miseries of Public Prisons."

OFFICERS OF THE SOCIETY FOR 1885.

PRESIDENT,
JAMES J. BARCLAY.

VICE-PRESIDENTS,
EDWARD TOWNSEND. CALEB J. MILNE.

TREASURER,
HENRY M. LAING.

SECRETARIES,
JOHN J. LYTLE. WILLIAM SHANNON INGRAM.

COUNSELLORS,
HON. WILLIAM N. ASHMAN. A. SYDNEY BIDDLE.

Members of the Acting Committee.

Thomas Latimer,	Owen Jones,	Jabez Wood,
Alfred H. Love,	Thomas J. Whitney,	Harriet W. Paist,
George Taber,	Dr. Charles E. Cadwalader,	Mrs. F. P. Nicholson,
William Ingram,	Wm. F. Lewis,	Dr. Rachel L. Bodley,
George W. Hall,	Humphreys Garrigues,	Mrs. F. Howard Williams,
William Hawkins,	Clement A. Woodnut,	Dr. Emily J. Ingram,
Horace W. Pitkin,	Henry T. Claghorn,	Rev. William L. Bull,
Harry Kennedy,	Marmaduke Watson,	Charles Brown,
Leonard N. Walker,	John H. Dillingham,	A. L. Stimson,
William W. Whitehead,	John Woolman,	Rev. J. Y. Ashton,
John O. Connor,	Harrison Walton,	Rev. C. H. Thomas,
William H. Jones,	Dr. James W. Walk,	Charles L. Phillips,
Charles Rogers,	Elias A. Hunsicker,	John H. Ingham,
P. H. Spellissey,	Eli M. Bruce,	William Scattergood,
Jesse Cleaver,	Henry C. Cassell,	Charles A. Tracy,
George Hunt,	J. Tophliff Johnson,	Rev. F. B. Greul.
Edmund Claxton,		

Visiting Committee on the Eastern Penitentiary.

Edward Townsend,	George Hunt,	Henry C. Cassell,
Henry M. Laing,	Edmund Claxton,	J. Tophliff Johnson,
John J. Lytle,	Owen Jones,	Jabez Wood,
Alfred H. Love,	Thomas J. Whitney,	Harriet W. Paist,
George Taber,	Humphreys Garrigues,	Dr. Rachel L. Bodley,
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William H. Jones,	Harrison Walton,	William Scattergood,
P. H. Spellissey,	Dr. James W. Walk,	Charles A. Tracy.
Jesse Cleaver,		

Visiting Committee on County Prison.

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William Ingram,	William F. Lewis,	Mrs. F. Howard Williams,
George W. Hall,	W. Shannon Ingram,	Rev. C. H. Thomas,
John O. Connor,	Elias A. Hunsicker,	John H. Ingham,
Charles Rogers,	Eli M. Bruce,	Rev. F. B. Greul.

Visiting Committee on House of Correction.

William Ingram,	Mrs. F. P. Nicholson,	Emily J. Ingram, M.D.,
James W. Walk, M.D.,	Thomas J. Whitney,	William Scattergood.

Visiting Committee on Chester and Montgomery Co. Prisons.
Rev. William L. Bull, William Scattergood.

Rev. J. J. CAMP, 1704 Oxford Street, is Agent for the County Prison, appointed by the Inspectors, and acting under their direction; and aids the Prison Society.

Rev. WILMER W. WALTER, 1729 North 22nd Street, is Agent for the Eastern Penitentiary, appointed by the Prison Society.

NEW SERIES]

[No. 25

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY

PUBLISHED ANNUALLY

UNDER THE DIRECTION OF "THE PHILADELPHIA SOCIETY FOR
ALLEVIATING THE MISERIES OF PUBLIC PRISONS,"
INSTITUTED 1787

JANUARY, 1886

PHILADELPHIA
NO. 1602 CHESTNUT STREET

CONSTITUTION

OF THE

Philadelphia Society for Alleviating the Miseries of Public Prisons.

When we consider that the obligations of benevolence, which are founded on the precepts and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons,) involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity their undue and illegal sufferings may be prevented; the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested as may, and instead of continuing habits of vice, become the means of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS."

For effecting these purposes they have adopted the following CONSTITUTION:—

ARTICLE I.

The officers of the Society shall consist of a President, two Vice-Presidents, two Secretaries, a Treasurer, two Counsellors, and an Acting Committee; all of whom shall be chosen at the Stated Meeting to be held in the First Month (January) of each year, and shall continue in office until their successors are elected; but in case an election, from any cause, shall not be then held, it shall be the duty of the President to call a Special Meeting of the Society, within thirty days, for the purpose of holding such election, of which at least three days' notice shall be given.

ARTICLE II.

The President shall preside in all meetings, and subscribe all public acts of the Society. He may call Special Meetings whenever he may deem it expedient, and shall do so when requested in writing by five members. In his absence, one of the Vice-Presidents may act in his place.

ARTICLE III.

The Secretaries shall keep fair records of the proceedings of the Society, and shall conduct its correspondence.

ARTICLE IV.

The Treasurer shall keep the moneys and securities, and pay all the orders of the Society, or of the Acting Committee, signed by the Presiding officer and the Secretary, and shall present a statement of the condition of the finances of the Society at each Stated Meeting thereof.

All bequests, donations and life subscriptions, shall be safely invested, only the income thereof to be applied to the current expenses of the Society.



JAMES J. BARCLAY, AT THE AGE OF FIFTY YEARS.
[From an engraving by John Sartain.]

NEW SERIES]

[No. 25

THE JOURNAL
OF
PRISON DISCIPLINE
AND
PHILANTHROPY

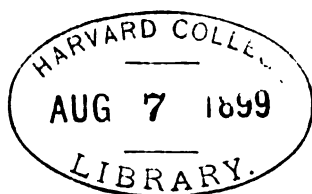
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JANUARY, 1886

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224-28 SOUTH FIFTH STREET
1886



Rev. Dr. J. W. Alden

ROOMS AND LIBRARY
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PHILADELPHIA SOCIETY
FOR
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1602 Chestnut St., Philadelphia.

At a Stated Meeting of the Acting Committee of "THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS," held on the evening of the First month (January) 14th, 1886, the Editorial Board, (appointed to take charge of the Journal and papers, and the Annual Report,) consisting of ALFRED H. LOVE, JOHN J. LYTTLE, JABEZ WOOD, JOHN H. DILLINGHAM and MRS. F. P. NICHOLSON, presented the draft of the Annual Report, which, being read by the Chairman, was approved by the Committee, and directed to be laid before the ensuing meeting of the Society.

At the Ninety-ninth Annual Meeting of the Society, held First month 21st, 1886, the Report was presented by ALFRED H. LOVE, Chairman of the Editorial Board, considered and approved, and referred to the Committee who prepared it, to have one thousand copies printed, with authority to make such alterations and additions as they might think proper; and they were also authorized to distribute the Report.

The Report to be signed by the President and Secretary.

JOHN J. LYTTLE, Secretary.

NOTE.—Persons receiving the Journal are invited to correspond with and send any publications on Prisons and Prison Discipline, and articles for the Journal, to ALFRED H. LOVE, Chairman of the Editorial Board, 219 Chestnut Street, Philadelphia, Pa.

OFFICERS OF THE SOCIETY

FOR 1886.

PRESIDENT,
EDWARD TOWNSEND.

VICE-PRESIDENTS, ALFRED H. LOVE.

TREASURER,
HENRY M. LAING.

SECRETARIES, WILLIAM INGRAM.

COUNSELLORS,
HON. WILLIAM N. ASHMAN. A. SYDNEY BIDDLE.

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Charles Rogers,	Eli M. Bruce,	John Collins,
P. H. Spellissey,	Henry C. Cassell,	William Edis,
Jesse Cleaver,	J. Topliff Johnson,	Rev. Walter Calley,
George Hunt,	Jabez Wood,	Harrison White Biddle,
Edmund Claxton,	Harriet W. Paist,	Mrs. P. W. Lawrence,
Thomas J. Whitney,	Mrs. F. P. Nicholson,	Edward F. Swift.
Dr. Charles E. Cadwalader,		

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Alfred H. Love,	Clement A. Woodnut,	Dr. Emily J. Ingram,
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Jesse Cleaver,	J. Topliff Johnson,	Edward F. Swift.

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George W. Hall,	Elias A. Hunsicker,	Harrison White Biddle,
John O. Connor,	Eli M. Bruce,	Mrs. P. W. Lawrence.
Charles Rogers,	Mrs. F. P. Nicholson,	

Visiting Committee on House of Correction.

William Ingram,	Mrs. F. P. Nicholson,	Emily J. Ingram, M D.,
James W. Walk, M.D.,	Thomas J. Whitney,	William Scattergood.

Visiting Committee on Chester and Montgomery County Prisons.

Rev. William L. Bull,	William Scattergood.
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— J. J. CAMP, 1704 Oxford street, is Agent for the County Prison, appointed by the Inspectors, and acting under their direction; and aids the Prison Society.

— WILMER W. WALTER, 1729 North 22d street, is Agent for the Eastern Penitentiary and County Prison, appointed by the Prison Society.

JOURNAL OF PRISON DISCIPLINE.

Ninety-Ninth Annual Report of the Philadelphia Society for Alleviating the Miseries of Public Prisons.

“The horologe of Time
Strikes the (near) century with a solemn chime,
And summons us together once again,
The joy of meeting not unmixed with pain.”

STANDING upon the eve of the centennial of this Society, we are profoundly impressed with two significant facts. One is, that the same causes exist to-day as they did ninety-nine years ago for a Prison Society, and under the self-same preamble, which could not be improved, even now, in its general and comprehensive scope as originally adopted by the founders of this Society as follows:—

“When we consider that the obligations of benevolence, which are founded on the precepts and examples of the Author of Christianity, are not cancelled by the follies or crimes of our fellow creatures; and when we reflect upon the miseries which penury, hunger, cold, unnecessary severity, unwholesome apartments, and guilt (the usual attendants of prisons), involve with them, it becomes us to extend our compassion to that part of mankind who are the subjects of those miseries. By the aid of humanity their undue and illegal sufferings may be prevented; the link which should bind the whole family of mankind together, under all circumstances, be preserved unbroken; and such degrees and modes of punishment may be discovered and suggested as may, instead of continuing habits of vice, become the means

of restoring our fellow creatures to virtue and happiness. From a conviction of the truth and obligations of these principles, the subscribers have associated themselves under the title of 'THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF THE PUBLIC PRISONS.'"

The other fact is, that under the providence and guidance of an All-wise Creator there have been found through three generations, philanthropic and faithful persons to carry on the work commenced by such minds as Richard Wistar, Benjamin Rush, Bishop William White, Isaac Parrish, John James, William Shippen, John Evans, Thomas Wistar Nicholas Collins, Samuel Pemberton, and other worthies who in turn supplemented, as we do theirs, the heroic and humane works of William Penn in 1682 known as "Penn's Great Laws," the 10th section of which provided that, "all prisons shall be workshops for felons, vagrants, and loose and idle persons."

It is a remarkable coincidence that we can note three epochs in the growth of prison discipline just one hundred years apart. The first in 1682, when the founder of Pennsylvania enacted his memorable penal provisions; the second in 1787, when this Society was founded, and now in 1885, when we chronicle the frequent prison conferences, and the general and advanced interest in the subject of Penology. The feeling with us is naturally a very earnest one. What should we do, and what can we do, to crown these years, with not only the duty we owe, but the result of all the light thrown upon our path, by the experience of others and the revelations of our own experience?

We should regard this Society with its long line of devoted supporters, its unsullied reputation, its victories and its treasury of goodness and greatness, as a legacy left to us as trustees, to preserve and develop. We have a duty to perform. As the poet Longfellow said a short time before his removal from this life:—

"Whatever has been written shall remain,
Nor be erased nor written o'er again;
The unwritten only still belongs to thee,
Take heed and ponder well what that shall be."

Our fellow member, Richard Vaux, President of the Board of Inspectors of the State Penitentiary for the Eastern District of Pennsylvania, presents this history very pertinently in the following words:—

The Pennsylvania Prison System had its origin in an effort to correct the abuses in the place of incarceration of all classes of violators of law. The common jail, under the colonial government of the province of Pennsylvania, was the receptacle of every such offender.

In the city prison of Philadelphia, located at Market and Third streets, in 1770, young and old, black and white, men and women, boys and girls, were congregated indiscriminately in custody, for misconduct, misdemeanor, and crime, either before trial, after conviction, or for want of bail for surety of the peace. It was a moral pest-house. Bad as it was, it was better than Newgate, for England was without a rival in the infamous management of her then chief prison in London.

So early as 1775 a sensible, thoughtful man—a merchant—Mr. Richard Wistar, residing near by, had his attention directed to the horrible condition of this city's prisons. In 1776, on the 7th of February, a society was formed, styled the "Philadelphia Society for Assisting Distressed Prisoners." The occupation of Philadelphia by the British army terminated the labors of this society in the month of September, 1777. In the year 1787, May 8, the first society was revived by its successor, "The Philadelphia Society for Alleviating the Miseries of Public Prisons." Some of the members of the first society and others like minded, engaged in this revival of the organization of 1776.*

Less than seven years after this re-organization, and less than seven after the adoption of the Constitution of the United States, James Joseph Barclay was born, he whose death has thrown the gloom over our past year, and of whose remarkable life and eminent services it becomes our duty to speak,

* We are fortunate in possessing in an excellent state of preservation the original constitution and minute book, and when another year shall have passed, and the Centennial Anniversary shall be celebrated, it will be proper to quote somewhat largely from these interesting records. In examining them, we find among the earliest members the names of John James, the grandfather of our present Secretary, and John Evans, the grandfather of one of our present members. Among the requirements of the Treasurer we find a condition, not now imposed, and long since discontinued, viz: "He shall before he enters upon his office, give a bond of not less than two hundred pounds, for the faithful discharge of the duties of it."

though the limits of an annual report renders any such allusion briefer than the exalted character deserves, and the living claim, of one who was as a "light set upon a hill."

His birth occurred on the 15th of January, 1794, on Front street below Walnut street, in the city of Philadelphia, and his death was on the 16th of August, 1885, less than a dozen squares from the place of his nativity and his life covering a span of ninety-one years and seven months. His place of burial is in the memorable grounds of Old Christ Church beside the members of his family, and about twenty feet from the grave of Benjamin Franklin, and not far from that of Benjamin Rush.

It is a remarkable fact that the distance from his place of birth and that of his death, to this resting spot, is about the same, presenting almost a perfect triangle, in almost the centre of which was the law office he occupied for many years.

His father was one of the enterprising merchants of Philadelphia engaged in the importation of French goods, and who was at one time Mayor of this city, and gave the office the high distinction which it then enjoyed, and which should ever be its characteristic.

The father gave his son a good education, so that at about eighteen he graduated from the University of Pennsylvania.

He studied law with James Gibson, Esq., and on the 26th of September, 1815, when a little past twenty-one, he was admitted to the Bar, and in 1876 he was its oldest member.

This made him a member of the Bar seventy years. That early history found him contemporary with Horace Binney, Nicholas Biddle, Peter A. Browne, Hugh Brackenridge, Charles Chauncey, Charles Jared Ingersoll, Joseph R. Ingersoll, Thomas Kittera, William M. Meredith, William Rawle, John Sergeant, and other distinguished jurists that have graced the forum and honored the city of Philadelphia.

These reminiscences of our departed President are fruitful in calling to mind and fixing the dates of events, which afford a reverential pleasure.

When Mr. Barclay was born the capital of the United States was Philadelphia. Congress met at the County Court House at Sixth and Chestnut streets, and George Washington was President, and lived on Market street.

Mr. Barclay took a deep interest in the growth of the city and nation of which he was so valued a citizen. He saw the introduction of the first locomotive and steamboat, and not alone in public enterprises, but in those of reform and philanthropy, he gave his time and talents.

The excellent likeness on our first page is one of Sartain's engravings, representing Mr. Barclay when he was on the School Board, and at about fifty years of age, and when he was in the full possession of his health and eminent qualifications.

It was in 1819 that he became a member of this Society. It was brought about at the solicitation of those early friends of prison reform, Samuel R. Wood and Charles Cresson, members of the Society of Friends. They induced him to attend a meeting of the Society, and then took him into the jail, which occupied the south-east corner of Sixth and Walnut streets, and where, singular as it is, the law office of Mr. Barclay was located in the Athenæum Building, which occupies part of that site, and the picture of which we insert on the following page. It was here he spent most of his time. His office practice was large, and he preferred to work as counsellor and to adjust cases, rather than to seek reputation in the courts. But there radiated from this office-home, light, love and wisdom to many poor and friendless ones, and to those grand objects of life that were the foundation stones of a great city.

Mr. Barclay never married. It was not the "domestic felicity" that charmed his life: he had little of those home sympathies and affections that other men draw around them as the dearest ties of life, and which soften the hard lines of age and brighten the hearth of that certainty of time, when sickness, and weakness and loneliness come. We think he experienced this inevitable sadness and sorrow, which the



ATHENÆUM BUILDING, PHILADELPHIA.
Law Office of James J. Barclay.

family influence will prevent, and yet there was a freshness and a joy around and about this dear old man, even to the last, that was warm and flowing, and in this very office he would seem to say to each new, young and ardent comer who was interested in the noble reform, that the sage was still upholding and promoting,

“ And ye who fill the places we once filled,
And follow in the furrows that we tilled,
Young men, whose generous hearts are beating high,
We who are old, and are about to die,
Salute you ; hail you ; take your hands in ours,
And crown you with our welcome as with flowers! ”

One of the results of Mr. Barclay's entering this jail was the separation of young from old and hardened offenders. He found them thrown together, and his quick and philanthropic mind saw at once the influence of such a life must be injurious. Hence it was in January, 1826, that he presented a resolution “ That a House of Refuge for juvenile offenders ought to be established, and that a meeting of the citizens be called for that purpose.”

On the first of May of that year he was gratified by the agreement to construct the House of Refuge, which some of the members will remember stood upon Ridge Road and Coates street. For twenty-four years Mr. Barclay was Secretary of the Board of Managers of the House of Refuge, for nineteen years he was its Vice-President, and for sixteen years its President, thus covering a period of fifty-nine years. He donated to this reform for investment a liberal sum of money, which was increased by the late Thomas P. Cope, the proceeds of which are given every year as rewards of merit to those confined in the Institution.

How often would he enjoin upon the criminal to study those passages of Scripture, and engage in that devotion of prayer, and perform those duties that would tend to elevate him and restore him to the walks of uprightness. It was a favorite psalm with him that opened: “ Have mercy upon me, O God, according to thy loving kindness ; according to

the multitude of thy tender mercies, blot out my transgressions." All of this fifty-first psalm of David he was wont to quote and enjoin upon the prisoners.

It was not alone in these charities that we found Mr. Barclay conspicuous. At that memorable reception given him on his ninety-first birthday, by the Institution for the Deaf and Dumb, with which he was so long connected, it was remarked that there were a dozen charitable, befevolent and reformatory institutions represented, with which he was connected.

There was one feature about Mr. Barclay's life which stands forth very prominently as an encouragement to every one: he believed in the supreme significance and value of appeal, petition and argument.

The mighty influence of the pen was demonstrated by this ready writer and deep thinker. When some great question was before the people, his advice was,—send forth the document—and he was willing to prepare it. His correspondence was almost world-wide. To visit his office was to impress the visitor with his love for literature.

On the opposite page will be found a picture taken a short time before the death of Mr. Barclay, by Mr. George A. Cooke, to whose courtesy we are indebted for its use. It is the representation of our late President as we were accustomed to find him buried in his books, and there is perhaps no duplicate of such a complete mausoleum of literature to be found in the world. Joseph Patterson, Esq., in his address at the House of Refuge in 1885, so pertinently speaks of this remarkable scene as part of Mr. Barclay's life, that we quote his felicitous remarks:

Books were his companions of whom he never tired, and to extreme old age with unabated charm, they beguiled his lonely hours. He was familiar with the English classics, especially the poetry of the last and the beginning of this century. His memory was stored with choice passages, which he often used as appropriate illustrations. He was a reader of general literature, and before his great deafness had deprived him of the pleasure of conversation he was a ready and fluent talker and agreeable companion. To those who have been in his office on



JAMES J. BARCLAY, IN HIS OFFICE, ATHENAEUM BUILDING, PHILADELPHIA.

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Sixth street, as many of you have, it is needless that I say that he was during his mature life a constant and large buyer and collector of books and pamphlets, and I may add of printed matter of any kind, and of every language, ancient and modern.

These had so gathered in many years that they were piled from floor to roof where there could be found space for them, and the accumulated dust of years, I was going to say of ages, rested on them, and they were also in great quantity and number in his bedroom, in boxes and packages on shelves and tables, and at the last, when his soul had passed to the unseen world, and his lifeless body lay there in that room, the pathetic verse of Longfellow could be applied to him :

“ Dead he lay among his books,
The peace of God was in his looks.

“ As the statues in the gloom,
Watch o'er Maximilian's tomb,

“ So these volumes from their shelves,
Watched him, silent as themselves.

“ Let the lifeless body rest,
He is gone who was its guest.

“ Traveler, in what realm of space,
Shines the light upon thy face ?

“ In what garden of delight,
Rest thy weary feet to-night;

“ Lying dead among thy books,
The peace of God in all thy looks ?”

As the summer of 1885 reached its meridian Mr. Barclay's lengthened days showed extreme feebleness. Some of us met him for the last time a few weeks before his death, opposite the Central Police Station at Fifth and Chestnut streets. The new vans had been brought there, and as he had been instrumental in having them built with the improvements of room, ventilation and comfort, and the number of vans increased so that there should not be the overcrowding, and the forcing of men and women and boys and girls together, he was invited to inspect them. He said he was too feeble to enter them, but expressed himself well satisfied with their general appearance. The heat of the day oppressed him and as he went on to his office he repeated the oft expressed conviction of his mind.

Go on now and carry out the separate system of penal discipline, by making the county jails retain the offenders of the various counties, and so increasing the accommodations of the penitentiaries that there shall be but one person to a cell, and then see that every one is given some suitable work and that frequent visits are made by our *Acting Committee*.

These were the last words we heard him utter, and they were spoken with his usual earnestness and feeling, and stand as a parting legacy to this Society.

At a meeting of the Society, held shortly after his death, the following *Tribute of Respect* was adopted :

Who can preside when the President is dead ?

Who can render tribute when the master mind is silent.

With one accord the PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS stands in awe and waiting, without its revered head.

The death of JAMES J. BARCLAY, while a loss to us, proportionate in its magnitude to the greatness of his virtues and benefactions, must be accepted as a translation to a higher life of one of the illustrious characters of the nineteenth century.

Passing on at the remarkable age of nearly 92, having been a member of this society since 1819, and its President for thirty-six years, we are grateful to our Father for a gift to us and to mankind of whom it may be said, "None but thyself can be thy parallel."

It is eminently our duty to remember that it is the privilege of but few men to attain so advanced an age crowned with such high honors, and that of but few associations to have the united wisdom and devotion of one so truly friend and member for so many years.

From the time JAMES J. BARCLAY first crossed the threshold of a public prison, he became the earnest advocate of reform in penal discipline and the assured friend of the prisoner. He was early moved to appeal for a separation of young from old offenders, and then for the individual treatment of convicts. Out of this action grew the House of Refuge and other reformatory institutions, in which he was found an active member and in many of them an influential officer.

His life covered an unusually interesting period of the closest attention to the condition of the depraved, the afflicted and the helpless, and private and public institutions fostered by him increased in number and became perfected in management.

Profound in thought, careful in expression, humane in purpose, just in decision and firm in his conclusions, his counsel was sought and his judgment approved.

He gave his time as he dedicated his talents, unremittingly to philanthropic work. He was approachable and courteous. No one so poor, so low, so misguided but could go to him freely and be assured of an audience and receive from him advice, aid and comfort that would make glad the sorrows of the heart, send sunshine into gloom, and "make straight in the desert a highway for our God."

His early associates in every department in life have passed away. In this society he has seen those advanced in years, and whose friendship and co-operation he valued, one by one leave him, and he was always sympathetic and appreciative. He was ever ready "to do them reverence." As the younger members came before him he greeted them with welcome and encouraged them with his faithful example and life-long devotion. And now that we are left to honor his memory, walk in his footsteps, preserve his victories and mark the monuments of progress which live as testimony-bearers of his labors, we can well repeat the language: "Now lettest Thou Thy servant depart in peace."

The last annual meeting, the ninety-eighth, was publicly observed in Beth Eden Church, Philadelphia, January 29, 1885, Edward Townsend, Vice President, filling the chair and making appropriate remarks. Mr. Barclay's advanced age and feebleness prevented his attendance. Prayer was offered by Rev. J. Y. Aston, moral instructor of the Eastern Penitentiary, and addresses were delivered in the following order—by Alfred H. Love, Hon. William N. Ashman, and J. S. McIntosh, D.D. M. J. Cassidy, warden of the Eastern Penitentiary, allowed the audience to ask him questions relative to the system and treatment of prisoners, their employments, their punishment, if any, the ratio of reformation, the care of discharged prisoners and similar subjects, all of which he answered.

Music was offered by E. M. Bruce, a member of the Acting Committee. Letters were received from Robert E. Pattison, Governor of the State of Pennsylvania, who said, "You have my sympathy in your humane work and my thanks for your courtesy." From William B. Smith, Mayor of the city of Philadelphia, who said, "I have already secured from Councils an appropriation for the purpose of adding two more vans to the number now in use, and I shall earnestly labor

to so improve this service that it may not be a disgrace to the municipality. I wish your Society every success and assure you of my interest in the welfare of the object it aims to accomplish." From Hon. John M. Broomall, who said, "If anything is especially needed at this time, it is the thorough reform of our criminal courts and laws or their entire abolition. If the principles of the Sermon on the Mount will not reform criminals and prevent crime, I am persuaded nothing will. At least the experiment is worth trying." J. H. Boswell, of New York, and Rev. George D. Boardman and L. Y. Graham and others wrote in equally encouraging language and the meeting proved highly interesting.

The regular meetings of the Society and of its Acting Committee have been held with a good attendance of members at 1602 Chestnut street, and among those where our members have attended on behalf of the subject of Prisons, may be mentioned that at Kennett Square when Rev. William M. Bull and one other of our members took an active part and created a deep interest in the cause in Chester county. Dr. Bull, after some prefatory remarks gave statistics in regard to the number of criminals in the jails of the United States, and said:

While not endorsing the contract labor system, I wish to say in refutation of the popular impression, so often played upon by the political demagogue in his efforts to gain the vote of the workingman, that prison labor interferes with that of the honest laborer outside the jail that according to an article headed "An Expensive Blunder" in the *Nation*, of March 5, there are about 29,000 convicts employed on contract labor in about thirty different trades.

That in the same trades there are about 1,000,000 free laborers employed. That the average out-put of a prisoner being only about one-half that of a free man; the number of employed convicts is reduced to 14,500, or 1.45 per cent. of the whole number of free laborers; and consequently the idea that competition of this sort can have any influence upon the rate of wages or upon the price of commodities, taken as a whole, is absurd.

One of the most impressive lessons the prison reformer soon learns is to be found in the fact, not realized by those who have not given the subject serious study, of the absence to a greater or less degree of the moral sense in the criminal. Many of them have no just conception

of the difference between *meum* and *teum*, until taught it by the penalties inflicted by the law. With such, religious and moral motives have but little weight ; often self-interest must be appealed to.

Imprisonment, however, should be regarded not only as a retributive measure but as a reformative or remedial one.

To benefit the convicts, there must be personal contact with him—hand to hand and heart to heart—hence the necessity of Prison Reform societies.

The well known Philadelphia Society for Ameliorating the Miseries of Public Prisons, whose name is soon to be changed to the Pennsylvania Prison Society, is desiring to extend the scope of its work over the entire State by forming local branch societies. Will not Chester county be the first to put her hand to the plough ?

Can we not form a society whose object shall be to promote the moral, intellectual and physical welfare of the convict while in jail, and especially take charge of him on his discharge by finding him with work so that he may be encouraged in a most practical way to become a self-supporting, honest and respectable citizen ?

By becoming a bureau of information to farmers in need of hands, I believe much good in this respect could be accomplished in our midst.

What more appropriate spot to begin the good work than here in Kennett Square ? Here is one of the fountains from which that noble band of men and women—the abolitionists of the past—drew their inspiration. Here, in our own days, the earnest temperance advocates have found some of their staunchest allies.

Here, too, shall not the prison reform movement receive a fresh baptism, and be pushed forward with an intelligence and zeal that shall surmount all obstacles, and sooner or later accomplish its much to be desired end ?

On what more appropriate day can we begin the good work than that which celebrates the one day in our Saviour's life, on which he allowed himself to be called King, Palm Sunday ? For it is only as we acknowledge him to be our spiritual king and realize the truth of His words, "The kingdom of heaven is within you," that we can hope to succeed in our works of reformation.

We must recognize, under the sin and lust of the criminal, the image of God, and the possibility even for the vilest of becoming one of that number who shall be "kings and priests unto God."

Let us, out of love to the Master and those he came to save, so work that the blessed benediction may one day be sounded to our ears. "I was in prison and ye came unto me." "Inasmuch as ye have done it unto one of the least of these, my brethren, ye have done it unto me."

CONFERENCES ON PRISON DISCIPLINE.

Whether in America or Europe, meetings have been held in the interest of penology, this Society has either been represented by delegates or has sent its communications of sympathy and suggestions.

On the 3rd of June, the Twelfth Annual Conference of Charities and Correction was opened in Washington, D. C. The following committee was appointed to attend: George W. Hall, Alfred H. Love, Thomas J. Whitney, E. A. Hunsicker, Rev. William L. Bull and Mrs. Harriet W. Paist. Some members of this Committee attended and presented a paper on the Pennsylvania System of Prison Discipline.

When the Annual Meeting of the National Prison Association was called for Detroit, the following letter of invitation was received, which received an affirmative reply, and which is so expressive of the good fellowship and the high aims of the National Prison Association that we give it place.

New York, October 3d, 1885.

ALFRED H. LOVE, Esq.:

Dear Sir—We are very anxious that every Prison Association and Prisoners Aid Association in the country should be with us in our work. Especially is it desirable that so old, so honorable and so useful a Society as yours should both understand our work and help us in it.

The National Prison Association enunciates no theories of Prison management—nor stamps any method with its approval. It is an association formed for mutual counsel among its members, and for the promotion of such general humane principles as every man can subscribe to, on the simple ground of humanity. It strives to bring men interested in the reduction of the criminal classes, into a closer relationship, and to promote an affiliation based upon a common motive, rather than on a common method. It gathers, arranges and circulates information as to criminals and the treatment of criminals, and aims to create a tone of public sentiment regarding them, that is at once in harmony with the laws of justice and of mercy. It strives also to bring to a better understanding the theorist and the practical men who are devoting their thoughts to prison reform.

You can see that there is a wide field for us to work in—a field in which all true prison reformers can work. And upon this broad platform, we do work, and we resent any attempt to make our platform less comprehensive.

We feel that in every State there should be a Prison Association working in full harmony with this. Such associations already exist in a number of the States, and will shortly be formed in others. In Pennsylvania it seems as if we ought to find all that we need in your noble old Society, or that at least it ought to be the point of departure for any more extended and general work.

In behalf of the National Prison Association, I most cordially invite the Philadelphia Society to enter into our work with us, as a part of a general scheme to be unfolded in detail at our Annual meeting at Detroit, and in order that our plans may be more definitely understood by your esteemed Society, we invite you to send a delegation of members to our Annual meeting. I send you programmes herewith. I hope you can come to our Detroit meeting, and be sure that as many members of your Society as do come, will receive a most hearty welcome.

I am, sir, your obedient servant,

WM. M. F. ROUND,

Secretary of N. P. A. of U. S.

THE ACTING COMMITTEE AND ITS WORK.

Under the authority of the State and by special election of the Society, fifty persons, with the addition of the officers, constitute the Committee for visiting the prisoners, and for carrying out the purposes of the Society.

The visitation of prisoners consists in either entering their cells, taking them by the hand, sitting down with them, drawing their attention to that which will improve them, elevate their thoughts and prepare them for a future of usefulness and happiness, sometimes by reading to and with them, and sometimes by social conversation, or visiting them at their doors, and impressing upon them the true purpose of life. The former visits are recommended as more likely to be effective.

To give some idea of the labor performed by this Committee, we quote the number of visits reported.

It always happens that a large number of visits are not reported. Members do not seem to understand the importance of informing those interested, that the prisoners are not neglected, the paramount object of the Society being that every prisoner shall be visited at least twice a month.

It is gratifying to find an increase of visits in 1885.

At the Eastern Penitentiary 480 visits were reported; 4,475 visits were made in the cells, and 3,029 at the cell doors, making an average of 625 prisoners visited each month. It would perhaps be fair to suppose at least one-third more could be added to this summary, because of some visitors not reporting; and although this would aggregate a large number, it is our duty to say that number would fall below what it should be, and we trust an improvement will be effected in 1886.

At the County Prison, the Committee reported 286 visits during the past year, a decrease, we regret to say from the previous year. We trust however many more were made that failed to be submitted.

The character of the visiting at these two institutions is somewhat different, at least the opportunity of making a change for the better in the condition of the prisoners, is less in the County Prison than in the Eastern Penitentiary, owing to reasons we shall treat of in the following pages:

THE CHARACTER OF THE VISITS AT THE COUNTY PRISON.

As an evidence of the values of the visits made by the Acting Committee we select the reports of Mrs. F. P. Nicholson for two months at the County Prison. This presents the work of one visitor in the female department.

The number of visits.....	14
“ “ “ meetings held.....	27
“ “ “ prisoners visited in the cells.....	140
“ “ “ prisoners visited at the cell doors.....	240
“ “ “ pledges signed....	30
“ “ “ Bibles given.....	6
“ “ “ families of prisoners assisted with food and clothing.....	8
“ “ “ situations found for discharged prisoners....	5
“ “ “ fares paid for sending discharged prisoners to their homes.....	4
“ “ “ letters written for prisoners.....	23
“ “ “ pages of literature given.....	600

When we remember that this is the work of one member of the Committee, and that it covers only two months, and those two months the inclement portion of the year, and that it is performed without any pay, we cannot withhold our commendation, and we hope this instance will act as an incentive for others to "go and do likewise."

We select a few special cases of interest from Mrs. Nicholson's reports:—

The prayer frequently goes forth as I visit these fallen ones. Here is one case. "God bless you's"—as I came to a cell in the Untried Department. I met the prison physician, who had been sent for to see a young girl who was sick. I entered the cell with him. He said she was "more frightened than sick." We found she lived in the country, came to the city to visit friends, got into gay company, had been drinking, and was finally arrested. She was nineteen. Her face was fair; and as she pushed the soft brown hair from her forehead, I felt she was some mother's child (the mother broken hearted on account of her absence). She cried piteously, and said *liquor* had done it all; she had just taken board at a beer saloon on Vine street: to pay to the proprietor \$5 per week and—shall I write it?—half of what she made. I shuddered as she told the terrible truth. I gave her the Prison letter, and sat with her alone an hour. She promised to go home to the country when released, and thanked me for my sympathy. I gave her my address, said I would be a friend to her and help her. The doctor said when he went the next morning she was gone, the proprietor having paid her finé. I never expected to see her again; but the next week she came to my home bringing the card I had written for her. She said she wanted to go home and would never leave it. Her conscience had nearly set her wild. I took her to the station, bought her a ticket, and to-day she is at home.

I find Annie E. Cutler calm and devotional under present circumstances, as we knelt together in prayer beside her little cot in the cell, she said, "I have left all things with God. His will is my will. All my trust is in Him."

I loan books from my library each week to the females; also distribute religious and temperance literature.

The House of Correction has been visited by its Special Committee, and Mrs. Nicholson has reported as follows:—

One very interesting visit to House of Correction this month.

Wednesday, December 9, 1885.

Held a meeting with ninety women in sewing room. Visited bakery and male department, distributing papers to each man. The

chief baker said "The men look anxiously for your coming, as nobody else seems to find us, in this out of the way place." Then I visited the shoe department, walked along the long line of workmen, giving each one reading matter.

As I had ten minutes to wait for carriage to the station, I stepped into the room where the prisoners (or new comers) were being questioned. Two women and forty-two men had just arrived, drenched with the heavy rain which was falling. Among them I noticed a bright young man about twenty. I could see the tears in his eyes several times, and when his turn came to answer the question, "How many times have you been here?" he said, "Never before." Captain McBride, after quietly questioning him, instead of passing him to the doctor, sent him to the other side of the room, telling him he could have his dinner before he left.

It was now time for me to leave, and whilst at the station of Holmesburg Junction, I observed the same young man standing on the platform, not a dry stitch on him, having walked over again from the House of Correction, and the rain coming down in torrents. I quickly learned his story. Born in New York, a button maker by trade, paid his fair to Baltimore to seek for work, unsuccessful, paying with what little was left part for bread and fare back to Wilmington, and finally reached Philadelphia on the evening previous—a stranger without a penny, tired and hungry—laid down to rest in a doorway, was taken to the station house over night, and to the House of Correction in the morning. He said he was now going to walk to Trenton, where he had a sister. I also found he was not a drinking man. I purchased a ticket for Trenton, gave it to him—he looked amazed. He said, "Who is the man who let me off? I feel as though I could kneel at his feet. And who are you? God surely sent you, for an hour ago in disgrace and now at liberty."

A number of the county jails have been visited, and the Committee on Chester and Montgomery counties attend regularly the meetings of the Acting Committee, and make interesting and satisfactory reports.

In this direction it is hoped that next year some systematic plan will be adopted whereby the State jails may be visited and a general secretary appointed.

For the present we must depend upon the work of our members and the Committee on Correspondence. We again quote from Mrs. Nicholson's work through the State in connection with the "Woman's Christian Temperance Union."

A writer has said: "Punishment never reformed a wrong-doer, but it holds him back for a time, that other influences may be

brought to bear upon him." And to this end is the influence which is exerted by the members of the "Woman's Christian Temperance Union," who each week visit the different prisons, jails, reformatories and houses of correction of our State, teaching, advising and guiding these despairing and troubled ones.

We do not dwell upon past crimes, but with kindness and sympathy endeavor to teach them self-respect, that there is yet some good for them to accomplish, and they may yet live to honor God.

In Moyamensing prison, Philadelphia, as I converse each week personally with the female prisoners, I find in nearly every case they are there through the use of intoxicating drinks, and I must confess I seldom return home, after a day spent in prison, without an aching heart, as I witness the young women brought in each day with bruised and blackened faces, for breach of the peace. I have talked with more than a thousand intemperate women this year, and as I read "that the increase of female intemperance is of so gigantic a nature and so rapid as to be a new source of disgrace and evil;" and realizing in my visits to prisoners' homes that in the case of each drunkard there is some loving heart broken or breaking; that to-day all over this fair land mothers' and wives' hearts are throbbing and aching for sons, husbands and daughters who have succumbed to the power of this giant evil; it tells me in thunder tones that in season and out of season, in our work among the prisoners, it is of vital importance to teach them the "evil effects of alcohol upon the human system;" and that total abstinence is their only safeguard.

I visit a woman now in prison, born and educated in the South, whose father was a well-known merchant, at one time reported in business circles as a millionaire. The winters of her girlhood spent in the gay metropolis, and the summers wiled away in trips to the North, six times to the White Mountains, four to Niagara, four to Europe, speaks and converses in French as fluently as in English, whose husband was a near relative of an honored ex-President of the United States; but she had been accustomed to wine at her father's table from childhood.

Sometimes a single instance will illustrate many, hence I quote the following:

A young woman on the 28th of July, 1884, had served a term of twenty-eight months. "The mistakes of her life had been many, the sins of her heart had been more;" but during the last year I had reason to believe she had asked and received forgiveness for her sins, and now, when "all things had become new" to her, new desires had been born of God in her heart, and the strongest was to find her mother, whom she had left in New York State seventeen years before and had never seen since. During repeated visits to her cell

I found this thought caused much sorrow and remorse, and was telling upon her health. By faith I made this promise, "If I can find your mother living, and in the United States, upon your release you shall go to her." After months of search, I found the mother was living in Tennessee. I communicated to her the tidings of her wayward child's conversion. She replied, "Thank God; now I can die in peace. Tell her she shall share my home, and all the love of a mother's heart is her's, but I have no means to send for her." On the 28th of July, early in the morning, I went to the prison to meet her. I had obtained permission to dress her suitably for her journey. I accompanied her to the Broad Street Station, and purchased her ticket for Tennessee, \$24.50, and as we sat waiting for the train, and the great crowd that surged to and fro little dreamed the truth, she completely broke down and sobbed aloud on my shoulder. The passengers looked, but thought, perhaps, it was a daughter or sister taking a long journey. She reached home safely, was met by her mother, and partially recognized by a portion of the dress she would wear, which I had enclosed in a letter. But seventeen years was a long while for this mother to pray and wait, and joy at the prodigal's return overcame her, and she fell fainting at her side. To-day mother and child are happy. The mother writes: "I feel twenty years younger as I look at my child sitting beside me and clothed in her right mind."

As Superintendent of Prison Work, I have written to each county, making inquiries of visiting committees, and have received interesting replies from the following places, situated in twenty-seven counties: Allegheny, Butler, Bellefonte, Clarion, Lock Haven, Meadville, Harrisburg, Chester, Erie, Uniontown, Tionesta, Chambersburg, Ebensburg, Johnstown, Lancaster, Allentown, Williamsport, East Smethport, Mercer, Easton, Sunbury, Ursina, Somerset, La Porte, Montrose, Franklin, Warren, York, Homestead, Forks-ville, Kenderdell, Indiana, McConnelstown, Mechanicsburg.

The following extracts from reports will explain.

ALLEGHENY.—Mrs. Mair writes: "The committee faithful in their visits, writing incessantly to the dear 'prison boys,' and letters have been received from afar bearing earnest words from mothers' hearts, who bless those who love their convict sons. More than 100,000 pages of Christian temperance literature has been distributed here. Many wonderful things could be told of good accomplished."

BELLEFONTE.—Mrs. Evan M. Blanchard, Superintendent. "Visits made each week; prisoners not only respectful, but most attentive listeners to the reading of the Scriptures and advice given."

CLARION.—No regular committee, but visits made, literature distributed, and at last visit, a large Scripture roll was left hanging upon the wall.

ALLENTOWN.—Mrs. Yeager gives a full and interesting report, with many touching incidents. There are agencies at work that reach out to all in the prison cell to reclaim. Mrs. Yeager is glad to report *only two* of our own sex during the year, and hopes that ere long there will be no need of a committee on prison work, for the reason that the poison which now furnishes inmates shall be abolished.

CHAMBERSBURG.—Committee at work; gladly received by the prisoners; services held; literature distributed.

LANCASTER.—Miss LaFevre writes: "No committee, hence no report."

EAST SMETHPORT.—Mrs. J. W. Bush writes: "Committee doing a good work. Twenty-five young men have been there during the year who trace their ruin to older ones urging them to drink; seem deeply penitent, and say when they are free they will give the temperance cause their votes.

MERCER.—Mrs. Braden writes: "Services have been held and literature distributed, which was thankfully received."

EASTON.—The committee visit the jail with the Young Men's Christian Association, and are doing good work.

BEAVER.—Miss Wilson writes: "Our Women's Christian Temperance Union has interesting services each Sabbath; their visits are anxiously looked for."

SOMERSET.—Mrs. Kooser writes: "The committee visited regularly for six months."

BRADFORD.—Mrs. Hotchkiss writes: "The committee working with the Young Women's Christian Temperance Union, and did good work considering that the prisoners remain but a few days, then are sent to Smethport."

TIONESTA.—Mrs. Cobb writes: "Our jail empty at this writing; only one license operating in our county (Forest)."

MONTROSE.—Committee doing good work, as is evident from a long and interesting letter from Emily C. Blackman, Superintendent of Prison and Jail Work, in which she gives most thrilling incidents in her experience since she entered on her duties.

HARRISBURG.—Dr. Kemp writes: "No superintendent of prison work, but weekly visits are made, and literature is distributed."

MEADVILLE.—No systematized plan of work, but many visits made, and services held in the jail.

ERIE.—Mrs. Thompson gives a most interesting report: 373 persons have been inmates of this jail this year—23 females, 350 males—all brought to degradation and crime from the influence of liquor and its evil associations.

FRANKLIN.—Mrs. Crawford gives a report with many interesting incidents: "Have no female prisoners; our visits are anxiously

looked for. Eight hundred papers and numerous temperance tracts have been distributed by our committee."

FORKSVILLE.—Miss Little writes: "Our jail at present is empty, but the visiting committee meet once a month in the interest of temperance."

YORK.—Mrs. Hugh McCall writes: "The committee have been able to visit weekly; and through summer heats and winter storms these devoted sisters have traveled out to the prison to sing, pray and talk with the inmates, distributing papers and loaning books from the library."

LOCK HAVEN.—Mrs. Kreamer writes that the committee are doing a grand work, and there is abundant proof that many have been helped to a better life.

Prison work has largely increased throughout the State. Homes were frequently found for prisoners at the expiration of their sentence, and clothing purchased, that they might present a genteel appearance. Railroad tickets were furnished those who returned to their homes reclaimed. A million pages of religious and temperance literature have been distributed among our prisons and jails of Pennsylvania this year by the prison committees. We can but hope that the seed sown in weakness will produce fruit.

We of the prison committees of Pennsylvania will continue to plant and water, knowing that "God giveth the increase."

THE AGENCY OF THE EASTERN PENITENTIARY.

Wilmer W. Walter, the agent for visiting the Eastern Penitentiary and the County Prison, and for co-operating with the special committee on discharged prisoners is entitled to high commendation for his faithfulness.

He reports for the Eastern Penitentiary as follows:—

The good results that have attended my labors in behalf of "deserving prisoners and some of their destitute families," have exceeded my most sanguine expectations.

In the distribution of money, I have endeavored to be judicious and economical, and from the satisfactory results attained, feel confident my efforts have not been in vain.

I received much encouragement during the year, by the cordial assistance afforded me by all the officers connected with the penitentiary, and by the members of your visiting committee, to all of whom I take this occasion to return my sincere thanks.

In my visits to the different prisoners in their cells I have met with a kindly welcome, with an earnest request to call again. Of all the

prisoners received in the Eastern State Penitentiary during 1885 (nearly all of whom I visited soon after their admission), a large number had never before been confined in a prison. The balance were re-convictions.

Of the 400 and more prisoners discharged in 1885, 130 received pecuniary assistance from your Society by me as follows :—

69	prisoners	supplied with clothing (coats, pants, vests, under clothing, etc.).....	\$333 36
6	“	“ “ shoemakers’ tools, leather, site to start shoemaking	33 78
8	“ families “	“ “ groceries.....	22 06
14	“	“ “ board and meals.....	18 76
1	“	“ “ stone cutters’ tools.....	5 87
12	“	“ “ railroad transportation to various cities, to wit : six to New York, two to Baltimore, Md., one to Salem, N. J., one to Reading, Pa., one to Lewis, Del., and one to Boston, Mass.....	34 35
1	“	“ “ cane (to reseat chairs).....	2 00
1	“	“ “ push cart.....	2 50
18	“	“ “ street car fares, postage stamps.....	5 07
130		a cash total of.....	\$457 75

I accompanied all of the prisoners furnished with railroad transportation to the depots, bought their tickets, and remained with them until the train had moved towards its place of destination.

I was exceedingly fortunate in obtaining employment for six prisoners discharged from the institution during the year, and have learned that they still retain their positions, and are striving to obliterate the past by acting manly and honestly toward their employers and fellow-men.

I secured permission from the proper authorities for the admission of two (2) insane prisoners, and sent them to the Norristown Insane Asylum.

I have had numerous difficult and interesting cases during the year that required my attention, the following two being especially worthy of your consideration :

The first is that of a man forty-nine years of age, having eight children (four of them quite small). He was a soldier in the late civil

war, and lost a leg while in the service. He was honorably discharged and pensioned. Subsequently he worked at his trade (hat making), and earned from \$4 to \$5 daily; but having an inebriated wife, and being himself addicted to the excessive use of intoxicants, his home was anything but a paradise. Returning home one evening during the winter of 1879, in an intoxicated condition, a family quarrel ensued. In the heat of passion he killed his wife. He was arrested, tried for murder, second degree, convicted, and sentenced to the penitentiary for eleven years eleven months. Sometime after his incarceration he became insane, and incapable of signing his pension papers, thus depriving his children of the necessary means with which to provide food and clothing. My attention was called to the case by the physician, Dr. Robinson. I saw Warden Cassidy, and he requested me to call on Mr. Furman Sheppard, one of the inspectors. I did so, and was referred to a competent and reliable attorney, who immediately took charge of the case. It then became necessary to find the children. After a search of three days I found them and took them to court. A proper person was appointed as their guardian, who secured the back pension, which amounted to nearly \$1300, and is now providing for the children, and attending to the immediate wants of their father.

The second is that of a young married man (a shoemaker), who was discharged from the penitentiary about nine months since, and soon after his release, he obtained employment in a shoe factory and was doing well, until a short time ago, when on account of dulness in the trade, he (with several others) was discharged. Being an ambitious man and anxious to provide for his wife, he made several attempts to secure work but was unsuccessful. In his trouble he came to me, stated his case in a straightforward manner, and desired to start a small shoe store, where he could (in a humble way) earn a living by working at his trade. I gave him money to buy leather and to pay rent in advance. After he had everything ready, and was in a fair way to succeed, his goods were suddenly seized for rent due the owner of the building by his landlady (he only being a sub-tenant). He again visited me. I investigated the affair and found that he was in no way to blame, and again furnished him with funds. I have since then visited him, and found him with work on hand, and with very encouraging prospects for a successful future.

GOVERNMENT AND REGULATION OF COUNTY JAILS AND PRISONS.

Early attention was given for the better government and regulation of county jails and prisons. The Board of Public Charities through its President Mahlon H. Dickinson, asked for the careful consideration and support of the fol-

lowing bill; some amendments were proposed by the Prison Society and accepted by the Board of Public Charities. The Bill was known as *An Act for the Government and Regulation of County Jails or Prisons*.

SECTION 1 *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same.* That the several county jails or prisons now or hereafter to be erected in the several counties of this Commonwealth in accordance with the provisions of the act of Assembly of April eighth, one thousand eight hundred and fifty-one, shall be governed and managed by a board of seven inspectors, composed of citizens and taxpayers of the respective county to be appointed as hereinafter provided, who shall serve without compensation, a majority of whom shall constitute a quorum for the transaction of business. At the first session of the court of quarter sessions of said counties, held after the passage of this act, the said court shall appoint four reputable citizens and taxpayers of said county, inspectors of said prison, one to serve until the first day of April, one thousand eight hundred and eighty-six, one to serve until the first day of April, one thousand eight hundred and eighty-seven, one to serve until the first day of April one thousand eight hundred and eighty-eight, and one to serve until the first day of April one thousand eight hundred and eighty-nine, and within thirty days after the passage of this act, the board of commissioners of each county shall appoint three reputable citizens and taxpayers of said county as inspectors, one to serve until the first day of April, one thousand eight hundred and eighty-six, one to serve until the first day of April, one thousand eight hundred and eighty-seven, and one to serve until the first day of April, one thousand eight hundred and eighty-eight, *Provided* That each commissioner shall name one of said inspectors, And in case the court shall omit to appoint said inspectors at the time mentioned, the president judge of the court and one or more of the associate judges, if any, may appoint the said inspectors in vacation, and annually thereafter the said court at the first session in each year, and the said board of county commissioners in the month of February in each year, shall each appoint one inspector of said prison who shall serve for three years from the first day of April ensuing their appointment and until a successor shall have been appointed and duly qualified.

When a vacancy occurs in the board of inspectors, the same shall be filled by the authority that appointed the inspector whose place is to be filled within thirty days after receiving notice of such vacancy, and it shall be the duty of the president of the board of inspectors to give notice of every such vacancy as soon as practical after the same may occur.

SECTION 2. The inspectors at their first meeting after their appointment, and at their first meeting held after the appointment of the two new inspectors every year thereafter shall appoint one of their number president of the board, and also appoint a secretary who may not be a member of the board, who shall hold their office for one year and until their successors shall be appointed. The secretary shall keep correct minutes of the proceedings of the board in a book provided by the county commissioners for that purpose. The inspectors shall meet monthly, and as much oftener as they deem necessary. They shall make such rules and regulations as are necessary for the government of the prison, *Provided* They be not inconsistent with the constitution and laws of this commonwealth or with the principles of separate confinement of the prisoners. At the meeting at which a president and secretary are to be appointed in each year and at such other times as may be fixed by the by-laws the board of inspectors shall nominate and with the approval of the president judge of the court of quarter sessions, appoint a warden, and if necessary a matron and a physician for the prison, and all other persons employed in the capacity of keeper or assistants about said prison, and shall fix their compensation, and the compensation of all other persons employed about the prison, *Provided*: That the compensation shall be approved by the court of quarter sessions.

They shall direct the manner in which all supplies necessary for the support and employment of all persons confined in said prison shall be purchased, and the sale of all articles manufactured therein, and shall direct the manner in which the convicts confined in said prison shall be employed. They shall determine the kind and quantity of food that shall be furnished daily to each person confined in said prison or debtors' apartment. They shall determine the kind of bedding to be furnished convicts, prisoners, and debtors, or those held as witnesses, the quality, form, and color of the clothing to be worn by the convicts. One or more of the inspectors shall visit the prison once in each week, and oftener if necessary, and see that the duties of the several officers and attendants are duly performed; and they shall take measures to prevent oppression, peculation, and other abuses or mismanagement in the prison.

The inspectors shall be furnished with a calendar of the persons confined in the prison by the warden whenever required in order that they may know by actual count and inspection whether all the persons named in said calendar are confined in the respective cells assigned them, and that the convicts are kept as shall have been directed by the board. They shall on their visit to the cells speak to each person confined therein; and on these visits they shall not be accompanied by any of the officers of the prison, unless their attendance be especially

required by the visiting inspector or inspectors. They shall have power to examine any person under oath or affirmation, or otherwise, touching any abuse or act of oppression in the prison, or touching any other matter within the purview of their duties, and for this purpose shall have authority to administer oaths or affirmations.

They may at any time, with the approbation of the president judge of the court of quarter sessions, dismiss the warden, matron, physician, or any keeper, and fill the vacancy in the manner herein provided, and fill all other vacancies otherwise occurring in said offices.

They shall report in writing to the court of quarter sessions of said county on the first day of the first term in every year, and at such other times as the court may direct, of the state and condition of the prison, which report shall contain the number of prisoners in confinement, their ages, sex, place of nativity, time of commitment, for what cause and offense committed, and of those, if any, who have escaped, or have been pardoned or discharged, with the particulars connected therewith, and give such information as they may deem expedient for making the prison effectual in the punishment and reformation of offenders, whereupon the said court shall take such order or such report as they shall think necessary, and the same shall be filed in the office of the clerk of the court aforesaid.

SECTION 3. The board of inspectors of the prison may discharge from prison without any proceeding under the insolvent laws of this Commonwealth, every convict who shall have served out the term of his imprisonment, notwithstanding such convict shall not have paid the cost of prosecution fine to the Commonwealth, or restore property stolen, or paid the value thereof, if in the opinion of the said board of inspectors such convict is unable to pay or return the same, *Provided always*, That such discharge shall in no way interfere with the rights of the Commonwealth, the public officers, or of any person interested in the payment of such costs or fines, or the restitution of property stolen, but no such discharge shall be allowed or granted by the said board of inspectors until such convict shall have exhibited to them on oath or affirmation, duplicate schedules of all his property, so far as he can ascertain the same, one of which schedules of property shall be filed and preserved with the papers of the prison, and the other forthwith delivered to the clerk of quarter sessions of said county who shall file the same in his office.

SECTION 4. The official visitors of the prison shall be the Governor, the members of the Board of Public Charities of Pennsylvania, the Legislature, the Secretary of the Commonwealth, the judges of the Supreme Court, the president judges of all courts in the State, the Attorney General, and the president and associate judges, district attor-

ney, the grand jury, commissioners, sheriff, and coroner of the county, and the acting committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons. No person who is not an official visitor or who has not written permission, granted according to the rules the inspectors may adopt (excepting attorneys-at-law who shall desire to visit their clients confined for trial and such religious advisors as may be desired by and at the request of any prisoner), shall be allowed to visit the prison. None but the official visitors and religious advisors shall have any communication with the convicts. No visitor whatever shall be permitted to deliver to or receive from any convict or other person confined in the prison any letter or message whatever, or to supply them with any articles of any kind excepting letters or messages to or from persons confined for trial, which shall have been before submitted or communicated to the warden or one of the inspectors, and permission in writing granted by him, nor supply any person confined in prison with any article of any kind without such permission, under the penalty of one hundred dollars for each offense. Any visitor who shall discover any abuse, infraction of law, or oppression in which any officer or other person employed about the prison is implicated, shall immediately make the same known to the board of inspectors, or to the judges of the court of quarter sessions, if any of the inspectors are implicated.

SECTION 5. The warden shall, before entering upon the duties of his appointment, be duly sworn or affirmed to truly and faithfully discharge the duties of his office : a copy of which oath or affirmation shall be filed among the papers of the inspectors. He shall, also, before entering upon his duties, give bond to the Commonwealth of Pennsylvania in such amount and with such security as the president judge of the court of quarter sessions of the county shall determine and approve conditioned for the faithful discharge of all the duties enjoined upon him by this act or by any subsequent act that may be passed, or by the rules of the inspectors, for a just and accurate account of all moneys, goods, chattels, and effects of all kinds and description whatever that may come into his hands or that may be placed under his care in pursuance of said appointment, on behalf of said prison, or by any person confined therein, for the delivery to his successor in office of all books, papers, and documents, also of all goods, chattels, and effects which he may have and hold in the right of said appointment, and for the payment of any balance of money belonging to said prison or any person confined therein remaining in his hands, and for safe keeping of all prisoners and other persons committed to his charge, which bond shall stand for the use of any person or persons injured by the acts of said warden, and may be proceeded on by any person aggrieved in the same manner as is directed with regard to sheriff's bonds. All other persons

employed in or about the prison shall, if the inspectors require it, give bond with security in such amount as they may direct conditioned as near as expedient to that of the warden, and in such manner as the inspectors shall fix and determine, said bond to be approved by said inspectors, said bond of treasurer and warden to be taken and acknowledged before the recorder of deeds of the said county and recorded in his office at the cost of the respective officers, and the original bonds shall be filed by the inspectors in their office copies of the record of any of the said bonds acknowledged and recorded as aforesaid and duly certified by the recorder of deeds, for the time being shall be good evidence in any action brought against such treasurer or warden or their sureties on such bonds, according to its form and effect, in the same manner as the original would be if produced and offered in evidence.

SECTION 6. The warden of the prison when qualified to act, and when he shall have entered on the discharge of his duties, shall, and he is hereby required and directed to receive and take charge of all persons lawfully committed by any court, judge, alderman, or justice of the peace, or other officer having power to commit to prison, and said warden shall be responsible for the safe keeping of all persons so committed, in the same manner and to the same extent that sheriffs and jailors are now by law held liable.

SECTION 7. The warden shall reside at the prison and shall not absent himself for a night without the consent of two inspectors, which must be in writing ; he or his assistants shall visit every cell and apartment by entering therein, and see and inspect the condition of every person confined in the prison twice every day and oftener if necessary, and when visiting the female prisoners shall invariably be attended by the matron. He shall keep a journal in a book provided by the county commissioners for that purpose, in which he shall regularly enter the reception, discharge, death, pardon, or escape of prisoners, also of the complaints that are made and the punishments inflicted for breach of rules and discipline as they occur, the visits of the inspectors and physicians, and of all other occurrences of note that concern the state of the prison. He shall, with the advice and consent of the inspectors, appoint his assistants and dismiss them whenever he or the inspectors deem it proper to do so. He shall report all infractions of the prison rules to the inspectors, and with the approbation of an inspector punish the offender in such a manner as shall be directed by the rules of the prison. He shall take charge of, keep, and preserve all money, effects, and clothes found on any person brought into prison to be confined as a convict or prisoner, and shall deliver the same to such person or order when discharged, and at other times by order of an inspector who may at any time think such money or effects or any portion thereof

would be necessary and proper for such person ; he shall see that all meals are regularly delivered to the prisoners according to the prison allowance, and shall superintend the work of convicts who may be employed in the prison ; he shall give immediate notice to the physician whenever any person confined in the prison shall complain of sickness requiring medical aid ; he shall obey all orders given by the inspectors, and conform to all rules established for the government of the prison.

SECTION 8. The matron shall reside at the prison and shall not absent herself for a night without the consent of the warden and two of the inspectors in writing ; she shall visit by entering every cell and apartment occupied by a female, and see and inspect the condition of every female prisoner twice a day and oftener if necessary ; she shall inform the warden daily and oftener if required, of every matter of importance relative to the person's cells, and all other matters under her care ; she shall direct the labor and occupation of the female prisoners under the general direction of the warden, and give such instructions as may tend to their reformation and to rendering them useful members of society.

SECTION 9. The physician shall visit every prisoner once in every two weeks and oftener, if his or her health requires it, and report in writing every three months to the inspectors ; he shall attend immediately on notice from the warden that any prisoner is sick, and prescribe and administer medical aid to such prisoner.

He shall on the reception of any person into the prison as a convict, if present or if not present at his next visit, examine the state of his or her health, and shall direct the diet of prisoners under his care, and such other matters as in his judgment will best promote their health and comfort.

SECTION 10. The warden's assistants shall examine into the condition of every person committed to their care three times in each day, and oftener if necessary, or when directed to do so by the warden.

They shall see that all meals are regularly delivered to the prisoners according to the prison allowance and rules, and superintend under the general direction of the warden the work of all prisoners who are employed.

They shall give immediate notice to the warden, or in his absence to the physician, whenever any person confined shall complain of illness requiring medical aid. Each one of the warden's assistants shall have a certain number of persons confined assigned to his care by the warden, and he shall make a daily report to the warden of their health and conduct, and no assistant shall be present when the warden or any of

the inspectors shall visit the persons confined under his particular care, unless required. They shall obey all orders given by the warden, conform to all rules established for the government of the said prison. All orders to the male assistants must be given through or by the warden, and to the female assistants through or by the warden or matron. They shall not absent themselves from the prison during the hours of duty without permission in writing from the warden.

SECTION 11. On the reception of any person for imprisonment for debt, or for a fine, forfeiture or penalty, or for costs consequent on any breach or violation of law, or being held as a witness, not an indictable offense, he or she shall be confined in the debtors' apartment, and kept in the manner provided by the laws of this Commonwealth in relation to debtors.

SECTION 12. That on the reception of any person committed for trial, he or she shall be examined by the warden in the presence of the officer or other person delivering such prisoner and such inspectors as may be present, and also such of the warden's assistants as can conveniently attend. All money, effects, and clothing shall be taken from the prisoner so committed, of which an entry shall be made in a book provided for that purpose by the county commissioners, and such entry shall be signed by the warden and attested by the person who may be present at the examination and taking of such clothing, money and effects, which clothing, money and effects shall be kept and preserved and restored to the prisoner when discharged from imprisonment. The prisoner mentioned in this section shall be numerically designated, by which each may thereafter be known during his or her imprisonment. Such prisoner shall be provided, when in the opinion of the inspectors it is necessary for their comfort, with suitable clothing to be worn when in prison. They shall be subject to such rules as the inspectors may adopt for the preservation of cleanliness, decorum and order in the cells, and may be punished by closer confinement and deprivation of food to compel obedience to such rules. No such prisoner shall be discharged while laboring under any dangerous disease, unless by his or her own desire. Two changes of linen shall be furnished to each prisoner every week in summer, and one to each every week in winter. Persons committed for trial shall not be compelled to labor unless at their own desire, and should any such prisoner desire to work, he or she shall as soon as practicable be put to labor at such work as may be carried on in the prison, and in case of acquittal and discharge, he or she shall be paid for the labor performed by the inspectors out of the funds of the prison, such sum as the inspectors of the prison shall adjudge to be fair and proper, and every such person may

procure books and writing material at his or her own expense, and shall be allowed to read and write, subject nevertheless to such restrictions as the inspectors may prescribe in relation thereto.

SECTION 13. On the reception of a convict he or she shall be examined by the warden in the presence of one or more of the inspectors who may be present, and of the warden's assistants who can conveniently attend, touching his or her name, parentage, alleged place of nativity, profession, occupation or trade, complexion, color of hair, eyes, and have the convict's height and length of his or her feet accurately measured, and take a note of all natural and accidental marks and peculiarities of feature or appearance which may serve to identify the person; and if the convict can write, he or she shall be required to write his or her name or signature to the description of his or her person. The convict shall then be examined by the physician, if present, as to his health, and all money, effects and clothes on the person shall be taken, kept and preserved, and afterwards delivered to the prisoner as before provided, all of which shall be entered in a book provided for that purpose, by the county commissioners.

The prisoners shall then be bathed, cleansed and clothed in the uniform of the prison and placed in the cell assigned him or her.

The prisoners shall be numerically designated, by which he or she shall thereafter be known during his or her confinement in said prison. No convict shall be allowed the use of tobacco or ardent spirits in any form, unless under the special direction of the attending physician, nor be permitted to receive anything but the prisoner's allowance. And any person who shall supply, or attempt to supply any convict with any article herein forbidden, shall, on conviction, be fined not less than twenty nor more than one hundred dollars, and if the warden or other officer or assistant, or any person employed about the prison shall violate the said provisions, shall in addition to the foregoing penalty, be dismissed from the service. No convict shall be discharged while laboring under any dangerous disease, unless by the convict's own desire. Nor shall any convict be discharged in violation of the act of Assembly passed the eighteenth day of February, Anno Domini one thousand eight hundred and forty-seven, relative to the discharge of convicts. The uniforms of the male convicts shall be a jacket of cloth and trousers of the same or other warm stuff for the winter, and lighter materials for the summer. The form and color of which and the kind of dress to be worn by the female convicts, shall be determined by the inspectors. Two changes of linen shall be furnished to each convict every week in summer and one change every week in winter. When a convict shall be discharged, the clothes belonging to the convict shall be taken off and the clothes and money and effects taken from

him or her at the time of reception in prison, not before recovered, shall be restored. If he or she shall not possess any money or suitable clothing, the inspectors shall provide the convict with what in their judgment may be necessary, not exceeding in money and clothing, five dollars in amount.

SECTION 14. No inspector, warden, or other person appointed or employed to execute any duty, trust or work in or about the prison, shall sell any article of any kind to any prisoner, or to or for the use of the prison, or be directly or indirectly in any way concerned in any contract connected with such sale, or derive any emolument or advantage from such sale or contract, nor shall either or any of them extend to any person confined in the prison any favor, lenity or mitigation of punishment, or inflict any punishment not authorized by law or by the rules that shall be adopted by the inspectors in accordance with law, nor shall they receive, under any pretense whatever, from any person confined in said prison, or from any one else on his or her behalf, any money, reward, gratuity or gift whatever, and any violation of this law or any subsequent act relating to said prison, shall be considered and adjudged to be a misdemeanor, and on conviction of any person of such offense in the court of quarter sessions, the persons so convicted shall be punished by a fine of not less than twenty nor more than three hundred dollars, and be imprisoned for any term not less than one nor more than twelve months, and shall be immediately removed from his office, appointment or employment.

SECTION 15. From and after the passage of this act, no inquest shall be held on the body of any person who may die during his or her confinement in a county prison, unless the coroner of said county be thereunto required by the inspectors of said prison, except in cases of murder, suicide, manslaughter or death caused by casualties. And it shall be the duty of the attending physician of said prison to certify to the inspectors thereof, the name and age of every person who may die in said prison, and the disease or cause of death of each person so far as he can ascertain the same, which certificate the inspectors of said prison shall cause to be entered in a book to be kept for that purpose, and the original shall be delivered to the clerk of the court of quarter sessions of the county to be filed in his office for the inspection of all persons interested. And the inspectors of said prison (unless the friends of the deceased take charge of the body) shall comply with the act for the promotion of medical science, approved June thirteen, one thousand eight hundred and eighty-three.

SECTION 16. The penalties imposed by this act for the recovery of which is not herein specially provided for, shall be recovered in the

name of the county, for the use of said county, before any justice, alderman, or court of record having jurisdiction of sums of that amount.

SECTION 17. That for the funds necessary for keeping, furnishing, and maintaining said prison in conformity with the provisions of this act, the inspectors are hereby authorized to apply to the commissioners of said county, and if it shall appear to said commissioners that the sum applied for is reasonable, and that the accounts of the said inspectors are properly kept and adjusted, the said commissioners shall forthwith draw an order on the treasurer of said county in favor of the treasurer of said prison for the use thereof for such as shall be necessary to satisfy such demands.

SECTION 18. The treasury of said county shall in addition to his other duties receive all moneys belonging to said county prison, and shall disburse the same on orders drawn on him by the board of inspectors of said prison. He shall keep a true, separate account, of all moneys received and disbursed by him which account shall at all times be open for the inspection of the inspectors, and each of them, and the commissioners of said county. He shall once in each year state his accounts and produce his vouchers, which, after examination by the inspectors, shall by them be laid before the county auditors for settlement at the time and place where the auditors meet for the purpose of settling the accounts of the commissioners, and other officers, and be acted and reported on as accounts of county officers are by law authorized to be settled, and subject to the same laws relative thereto, and be subject to like appeal, issue, and judgment, which account when so settled the inspectors shall cause to be published as the annual accounts of the county commissioners and treasurer are published. The treasurer shall give bond to the Commonwealth for the use of the said county in such amount, and with such security, as the judges of the court of quarter sessions of said county shall determine and approve, conditioned for the faithful discharge of all duties enjoined on him by law, for a just account of all moneys that may come into his hands, in behalf of said prison, for the delivery to his successor in office, of all books, papers, and documents, and other things held in right of his office for said prison, and for the payment by him of any balance of money belonging to said prison, remaining in his hands. The said treasurer shall receive such compensation for his services as shall be annually fixed by the inspectors, with the approbation of the county commissioners and county auditors.

SECTION 19. Whenever the court of quarter sessions of any county in this Commonwealth shall have determined that the prison of said

county is fit for the reception and detention of convicts and other prisoners it may issue an order to the officers and warden of the State Penitentiary, in whose district the county is situated, for the removal of any or all prisoners who have at any time been sentenced to servitude in said penitentiary to the said county prison in which they shall serve out the unexpired time of their several sentences, which order shall be executed by the sheriff of said county.

SECTION 20. All laws now existing on the subject of county jails and prisons erected in conformity with the Act of Assembly of April eighth, one thousand eight hundred and fifty-one, and inconsistent with this act, are hereby repealed, *Provided*: That the provisions of this act shall not be construed to repeal any special or local law governing county prisons, nor to apply to county prisons governed under such special or local law until such special or local law shall be specifically repealed.

This bill contains valuable suggestions, and although it was carried by the Legislature, it was vetoed by Governor Pattison, because it was partial and irregular by providing for certain laws for the whole State, and yet excepting some portions thereof, as in the concluding paragraph, "Until special or local law shall be specifically repealed."

M. H. Dickinson's letter explains, and as the bill will be presented without doubt to the next Legislature, its publication is essential.

REPORTS FROM STATES AND TERRITORIES.

Through Mrs. J. K. Barney, of Providence, Rhode Island, Superintendent of the Department of Prison, Jail, Police and Almshouse work of the Woman's Christian Temperance Union, we have valuable information, from which we make brief extracts:

MAINE.—Superintendent sends no official report, but gleanings from other sources prove the interest undiminished.

NEW HAMPSHIRE.—Superintendent says: "The seed sown in the past has taken root. Nearly every place in the State needing our work receives attention." In seven county almshouses services are held regularly and inmates conversed with in their own rooms. Suitable reading is distributed. A blessed work is done in jails, particularly in Exeter

and Manchester. The most cheering and strengthening victory of all these years of working and waiting is the securing of a police matron in Manchester.

VERMONT.—The Superintendent aims at thoroughness and will effect it too. Abuses are disappearing under the searching light turned full upon them. All the jails are supplied with good reading, and in several Sunday-schools are held.

MASSACHUSETTS.—Grand work has been done in various localities. Much literature has been provided.

CONNECTICUT.—Superintendent reports increasing interest, and in all almshouse work great improvement. "In eleven jails services are held, supplemented by personal conversation and appeal to the inmates.

RHODE ISLAND.—Faithful work by Superintendent and local helpers. Police matron doing excellent work.

NEW YORK.—Superintendent, with her motto, "Be it unto thee even as thou wilt," reports a steady gain with work well taken up in counties throughout the State.

NEW JERSEY.—Superintendent's first year, and she has made commendable progress. The labor has been crowned with abundant success.

PENNSYLVANIA.—Superintendent, a host in herself—says: "Grand work is being done by our Committee in the jails and almshouses. A million of pages of religious and temperance literature distributed this year.

MARYLAND.—No official report, but we learn that the work inaugurated in previous years has not been suffered to decline.

DELAWARE.—No Superintendent, but a beginning made, which has stimulated inquiry as to the needs. Personal letters give assurance of growth of work.

DIST. COLUMBIA.—Superintendent reports "work carried on with greater regularity than ever before." Magazines and tracts distributed, also 4,264 papers. Writing paper, envelopes, stamps and postal cards furnished prisoners, and 100 have signed the pledge.

VIRGINIA.—Superintendent is looking up the work and making efforts in the right direction; much has already been accomplished.

W. VIRGINIA.—Superintendent makes a splendid record for first year.

NORTH CAROLINA.—President reports, "There are those whose hearts the Lord hath touched, and the way *will* be opened for good work. Barriers have existed but are disappearing; some almshouse and jail work done.

SOUTH CAROLINA.—Earnest superintendent who has worked against

great odds. Investigation has brought prominent persons to realize existing abuses in jails and poor houses. Improvement is noted and more likely to come through agitation.

GEORGIA.—Petitions have been presented to the legislature upon various points. It is gratifying to note the sympathy and co-operation of officials, both State and County, and still more gratifying to receive letters from prisoners discharged many months ago, who were converted in our Atlanta jail, who are now leading useful lives.

FLORIDA.—New Superintendent who reports some work done, and preparations for more in the coming year.

ALABAMA.—New Superintendent who is looking over the field. Local work has been done in various places. The need is almost appalling.

LOUISIANA.—Have never been able to secure Superintendent, but local workers feel some responsibility and State President does personal work.

OHIO.—Superintendent has called the attention of workers to this department. Much interest is felt in the State concerning questions connected with our lines, and many local Unions are doing grand work.

MICHIGAN.—Number of Unions engaged in it more than doubled this year. 19 report work both in almshouse and jail. Police matrons have been secured and more thoughtful consideration given to the general subject than ever before.

INDIANA.—Interest is felt through the State upon questions connected with ex-convicts, police matrons, separation of the sexes in county jails and almshouses, unprotected women who are hopelessly insane in these places, also in the better care of indigent children. Over 500,000 pages of leaflets and tracts have been distributed, and some hundreds of visits made.

ILLINOIS.—Question of separate prison for women is discussed. "The Record and Appeal" is published in the interest of industrial school for girls in Evanston. In Chicago, number of police matrons increased from three to ten this year—a *conclusive proof that their work is needed and satisfactorily done*. At Harrison street station the matron reports in 1884 and 1885 four thousand women arrested; one hundred and five sent to reformatory institutions, many destitute women and children (not arrested) sent to various places of shelter, lost children kindly cared for, and many things done to lead the erring and tempted away from their past and help them to find a better future. Truly the mother-heart is needed among the sin-stricken and weary ones, as well as in the home and school. Much interest is manifested in the care of unfortunate and helpless children. "What can be done to save them?"

was asked the matron of the Harrison street station. The reply came quickly, "build *Grant houses* instead of Grant monuments."

MISSOURI.—Superintendent's first year, and she has done excellent personal work. Several local Unions hold regular services in jails and almshouses. St. Louis has a police matron who is doing good work.

ARKANSAS.—In the prison women are being taught to read and write, the teachers providing slates, etc. A library of over four hundred volumes has been furnished, also magazines and papers. By Superintendent's request the lessees have provided lights for the convicts, that they may read and study. She reports something new. "Mr. Clark, the great fruit grower of the State, offered to furnish a large quantity of strawberries for the penitentiary. The purpose was immediately heralded through the town. The citizens joined in the effort; the Sunday-school children picked the berries, the express company shipped them without cost, and Miss Colwell, superintendent, with others, went to the prison, and after music and singing, with pleasant words distributed the fruit." Flowers and Scripture texts made the gift complete, and the W. C. T. U. of Bubea recorded on their minutes, "Resolved—One day, during the strawberry season shall be set apart as Strawberry Day for the prisoners at Little Rock." There was also a box of berries sent to every convict in the State. The lessees have found this work beneficial.

TENNESSEE.—Superintendent is seeking to inaugurate work, and the women are taking special interest in it.

KENTUCKY.—No official report, but account of some local work forwarded.

TEXAS.—A letter from Chaplain of Rusk penitentiary gives generous tribute to the beneficent work of our superintendent. The convicts furnished an elegant banner for our W. C. T. U. booth at New Orleans, and in other ways have testified their appreciation of the interest felt in their well-being and reformation.

IOWA.—Superintendent is fruitful in expedients and original in methods. The county farms are receiving increased attention. Fifty-two conversions are reported in boys' reformatory.

KANSAS.—Several Unions carry on work in jails and almshouses.

COLORADO.—At Denver they have secured a police matron. The office created, applications came in by the score. The cottage plan, under the management of a Board composed principally of women is favored.

NEBRASKA.—Superintendent's heart is in the work, and she has literally "done what she could."

WISCONSIN.—Local workers heard from. Judge Wright of the State Board of Charities gives encouraging endorsement to our work.

MINNESOTA.—Three Unions report regular work.

DAKOTA.—New Superintendent, who has written to each of her 55 Unions, and the work promises well for the future.

ARIZONA.—Superintendent reports work in infancy, but laid down in regular plan and will be pushed.

MONTANA.—Some work has already been done, papers and books sent to the Territory penitentiary, and other things are promised.

WYOMING.—Good local work reported. Question of police matron agitated in Cheyenne.

WASHINGTON TERRITORY [EAST].—Advancement has been made. Attention to subject been called through the press.

WASHINGTON TERRITORY [WEST].—Superintendent has made beginning in work, books and papers have been distributed.

NEW MEXICO.—President reports: "We have only two Unions and one has made a beginning of work in your Department; five visits have been made to the jail."

CALIFORNIA (SOUTHERN).—"Seven Unions engaged in this work. All places accessible cared for."

CALIFORNIA (NORTHERN).—Several Unions have taken up jail and almshouse visitation, and special interest is felt for the women in our city prisons. There is a jail matron in San Francisco.

OREGON, NEVADA, UTAH, IDAHO and INDIAN TERRITORY not reported, but some items concerning personal work brought to attention.

Mrs. Barney says: "Early in the year, 6,000 circular letters were printed and have been furnished the Unions for free distribution."

Five hundred thousand books, magazines, pamphlets, papers, tracts and leaflets have been furnished local workers.

County jails and almshouses need special attention the country over. Secure separation of the sexes, and juveniles from old offenders. *Insist* upon this in every place, and *persist* with appeal by petition both with voice and pen until it is accomplished.

PRISON WORK IN PENNSYLVANIA.

Mr. F. P. Nicholson, a member of our Acting Committee and also of the Woman's Christian Temperance Union, made a valuable report during the year, from which we make brief extracts, which will aid our work in the State of Pennsylvania.

The report states: The more extensive my observation of the effects of *kindness* upon prisoners, the more I feel its importance, trying to lift

them to a higher moral sense of their responsibility to society, and treating them "as if they were really better than they are as the surest way to *make* them better." And my personal experience of each year assures me as to the good result of such teaching. I find the most successful thief, when questioned quietly and earnestly, will confess his life is scarcely worth living, and even when undetected he carries a burden too heavy to be borne. One who has been *saved* says: "I never walked the street but at every step I expected an officer's hand to be placed upon my shoulder, but oh! the terror when alone in the dark cell at night." In this case and a similar one in the Western Penitentiary "God spoke peace" to their poor troubled souls, so that in their lonely cells at midnight, alone with *God* and their *conscience*, is sufficient *punishment* for many.

Will it *startle* you to know that to our prisons and jails of Pennsylvania last year 55,000 were committed; too many, alas, from the effects of alcohol in its various phases. Of this number 2740 *females* were in our Philadelphia county prison for intoxication.

I have corresponded with each and every county in the State. Last year 27 counties had visiting committees; this year, 40, as far as heard from.

ALLEGHENY COUNTY.—Our correspondent and visitor gives some wonderful and touching incidents, as results of Prison Work.

BEAVER.—Regular service every Sabbath. We feel it is one of the most important branches of our work—an address—service of song, by a good choir and distribute religious literature.

BLAIR.—A Union to be formed at Hollidaysburg. A visiting committee will then be appointed.

BRADFORD.—Religious services are held on Sunday morning.

BUTLER.—We have a committee appointed. Only four inmates in jail at present writing.

CRAWFORD COUNTY.—We hold weekly meetings at the jail. Are cordially welcomed each visit. Prisoners deeply touched. Making efforts to collect a library for the jail.

CHESTER COUNTY.—The committee of ladies visiting in turn, first and fourth Sundays in each month, distribute tracts and leaflets, and read the Bible to the prisoners. An effort is being made to assist the prisoners as they are discharged—helping them to their homes or getting work for them.

In Oxford the committee is always welcomed by the prisoners, who, waiting at the grating, eagerly accept the friendly hand-shake, or the papers and pamphlets offered to them. A plan is here being made to aid released prisoners.

CLARION COUNTY.—Religious literature distributed every two weeks. Books and Testaments given.

CLINTON COUNTY.—Committee doing good work.

CUMBERLAND COUNTY.—Jail visited and papers distributed.

CENTRE COUNTY.—The past year our prison has been regularly visited. We have been received with gladness and listened to with respectful attention. We have urged upon them the importance of *total* abstinence. The pledge has always been presented and signatures secured.

DELAWARE COUNTY.—Media. Committee visit jail, distribute religious reading, etc. This has been done each week for two years.

DAUPHIN COUNTY.—Harrisburg. Mrs. Clyde has visited the prison, and the committee of the W. C. T. U. visit the hospital weekly. Much good is hoped for.

ERIE COUNTY.—We have had 485 inmates, 119 arrests for drunkenness, 25 of them women. Services held every Sabbath from 10 to 11. Many have signed the pledge.

FAYETTE COUNTY.—Uniontown. Every week, and often *alone*, Mrs. Moore visits the prisoners, distributing tracts and papers. The average number in prison is twenty, most of them from intemperance.

FOREST COUNTY. Tionesta. No work for a visiting committee, as it is seldom, indeed, that our jail has an occupant. There has been *no* license granted in our county this year, and only *one* last year.

FRANKLIN COUNTY.—Chambersburg. Religious and temperance literature is distributed, and many sad and lonely hearts are cheered by the perusal of them.

HUNTINGDON COUNTY.—Huntingdon. Prisoners receive us very kindly and invite us to come again. We have presented them with Testaments, and they join in the Lord's prayer, and sing the Doxology. Much good has been done.

INDIANA COUNTY.—We visit the jail weekly, furnishing the inmates with good reading matter, and holding social religious services with them. There has been *no female* in the prison since our organization, and, occasionally, *no* inmates. We have now but *one licensed house* in the county.

LANCASTER COUNTY.—Lancaster. Abe Buzzard, an inmate, said: "If the public, or kind Christian women, had shown me sympathy at the beginning of my wild career, as they do at the present time, I would have been a reformed man long ago."

LAWRENCE COUNTY.—We visit the prison, hold meetings, pray and talk with the prisoners, who welcome us cordially, and who are always respectful, attentive listeners.

LUZERNE COUNTY.—Wilkesbarre. A prison committee appointed have been visiting the prison and have been much blessed in their labors.

LYCOMING COUNTY.—Williamsport. Some of our "Union" still visit our jail, trying to do something in God's name for the sorrowing and degraded ones, and realize that good has been accomplished.

McKEAN COUNTY.—East Smethport. Kindly received by the prisoners. On reading a certain text one poor fellow who was sick, said: "That is just what my mother writes to me." Feel that strength and courage has been given me.

MERCER COUNTY.—Mercer. Visits made to the jail. Some of our devoted women hold prayer meetings, and services are held on the Sabbath, the different women taking turns. Large numbers of papers and tracts distributed.

MIFFLIN COUNTY.—Lewistown. The committee visit the jail working conscientiously. Papers are distributed and good results are hoped for.

LEHIGH COUNTY.—Allentown. The deputy warden said that of the 18 real convicts then confined in the jail "*liquor was the direct cause of every single one of them being there.*"

WARREN COUNTY.—Warren. While our attention is called to the fact that whiskey is a curse to our young men and women, yet we believe if mothers instil into the minds of their children its evil effects upon them, there would be better morals and fewer would languish behind prison bars.

WESTMORELAND COUNTY.—Greensburg. Jail is finished and occupied. There are at present eighteen prisoners—seventeen men and one woman—for selling liquor in bottles in a local option town in our county. The committee visit the jail.

YORK COUNTY.—York. Since October we have made thirty-seven visits to our jail. The prisoners assemble in the chapel, averaging twenty five in number.

PERRY COUNTY.—New Bloomfield. Not a single occupant in our jail.

BERKS COUNTY.—Reading. A committee of ladies have visited our jail. We are not a year old, yet we have encouraging reports. We cannot speak too highly of our reception.

SULLIVAN COUNTY.—Forksville. Jail empty, but good work for temperance being done.

ELK COUNTY.—Ridgway. No prisoners at the present writing, but when we have any, we do all we can to raise them to a desire to lead better lives.

January, 27, 1886.

John J. Lytle, Secretary of Society for Alleviating Miseries of Public Prisons:

ESTEEMED FRIEND.—As requested I forward the copy of the bill prepared by order of the Board of Public Charities of Pennsylvania, (See p. 28), entitled, An Act, "For the Government and Regulation of

County Jails, or Prisons," and which was presented to the Legislature at the session of 1885, and after full consideration passed both branches, and was duly forwarded to the Governor, who, after deliberation, declined to approve it on constitutional grounds. Had the Legislature still been in session the bill would have been so amended as to remove the Governor's objections, as the change required was not essential to the successful working of the law, but the Legislature had adjourned *sine die*.

It is the intention of the Board of Public Charities to present the bill in modified form at the session of 1887, and to urge its passage, and would ask the aid of the Prison Society, as we are more and more convinced that no *reform* can be made in our county jails until they are taken, absolutely, out of the hands of the sheriffs of the counties.

Here is a case in point: We used our influence with the Commissioners of Bucks County, and had one of the best planned county prisons in this State (and perhaps any other) built, but the discipline under the sheriff is about as bad as it can be. Several escapes have been made. One prisoner was sent outside without a guard to attend stone masons. He very naturally walked off. Another was detailed by the sheriff to attend his horse at a livery stable, some two or three squares distant from the prison, and when he got ready he bid farewell to his stable, where he had been required to sleep, and up to this time his present place of abode is not generally known. Notwithstanding the cells are large, well lighted, and warmed, the prisoners are permitted, during the day, to congregate in the corridors and idly pass the time, instead of being required to labor for their support. This is only one instance out of many that come under our observation.

Respectfully,

MAHLON H. DICKINSON.

CARE OF THE INSANE.

The better care of the insane and especially the separation of the insane criminals from the sane criminals, has always engaged considerable attention of the Society. This year the following will show still further interest. The result has been a wide and profound inquiry has been started, and there is reason to believe reform will be introduced.

The Acting Committee adopted the following resolution offered by Henry T. Claghorn:—

WHEREAS, The recent disastrous fire at the Philadelphia Almshouse has brought to our notice the inadequate means for the care of the insane, therefore,

RESOLVED, That a committee of three be appointed to make inquiry

as to whether any, and if any, what action the Acting Committee should take in order to secure proper care of the insane, and especially of those known as insane criminals.

RESOLVED, That this committee have power to confer with other bodies in reference to a proper separation of the insane from the deserving poor, and have power to act, that the general views of this Society shall be carried out.

AGAINST THE WHIPPING POST.

As ever the Prison Society holds to its fundamental principles of correction and reformation through those agencies which do not still further degrade the criminal. Hence, Alfred H. Love offered the following resolution, which was adopted:—

RESOLVED, That inasmuch as the Adams' bill recently introduced into the State Legislature to establish the whipping post is opposed to the experience of this Society, now in the 99th year of its existence, and against the progress and enlightened policy of this Commonwealth, the Secretary be instructed to send a memorial to the Legislature, praying for the defeat of the said bill.

It is gratifying to be able to report that this bill was lost, and it is hoped never to be revived.

IN AID OF A CHANGE OF HOUSE OF REFUGE.

At the Annual meeting of the Society, held 1st month, 22d, 1885, the following resolution offered by J. G. Rosen-garten was adopted:—

WHEREAS, The Philadelphia House of Refuge again proposes asking the State to purchase its property above Twenty-second and Parrish, and use it for a Reformatory for *first offenders*, between the ages of 16 and 25, and whereas with the proceeds the House of Refuge is to be moved to the country, there to be re-organized on the Home or open system.

THEREFORE be it resolved, That "The Philadelphia Society for Alleviating the Miseries of Public Prisons" heartily endorse the plan, and instruct the incoming Board to prepare a memorial asking the Legislature to act favorably and promptly by making such laws and appropriations as may be required for the speedy execution of the reform thus instituted.

RESOLVED, That the Acting Committee be instructed to appoint a committee to co-operate with the managers of the House of Refuge in

securing such public support and approval, as will best ensure early action by the State, and the assistance of private contributions.

This action will be continued until the reform shall be introduced.

THE IMPROVED PRISON VAN SYSTEM.

Active efforts have been made for an improvement in Prison Vans and the whole service in conveying prisoners to and from prison. Under date of April 1, 1885, the following from Mayor Smith will prove how successful these efforts have been :

ALFRED H. LOVE :

Dear Sir—The new van service goes into effect to-morrow morning, and I am sure it will prove a blessing to the unfortunates who have the misfortune to make use of them. The service I am sure will be of a character to satisfy the Prison Society, and I am pleased to advise you of its successful inauguration.

Very truly yours,

WM. B. SMITH.

SOCIETY'S LETTER TO PRISONERS.

The Philadelphia Society for Alleviating the Miseries of Public Prisons sent the following, printed on a finely illustrated card, on the first of the year. This is the second epistle sent direct. 4000 were printed, and they were found framed, preserved and prized by the prisoners.

To the inmates of the Eastern Penitentiary of Pennsylvania, Philadelphia County Prison, and House of Correction :

A single ray of light is brightest after a dark night, and the cup of cold water refreshes most when lips are parched and the heart troubled. In like manner may this little messenger be sunlight and strength to you, who are our friends, and be welcomed with the fraternal and hopeful spirit in which it is sent from our hearts and homes.

It means that happiness will be secured by your being good, and that while we have no sympathy with crime, and it may be impossible, according to custom, to take each of you by the hand, on this opening day of the New Year, the time for high resolves and fervent prayers for Divine help, we assure you, you are not forgotten and that we desire your welfare.

“Sometime when all life's lessons have been learned,
And sun and stars, from out our sky seem set,
The things which our weak judgment here have spurned,
The things o'er which we grieved with lashes wet,
Will flash before us, out of life's dark night,
As stars shine most in deeper tints of blue ;
And we shall see how all God's plans are right,
And how what seemed reproof was love most true.”

Keep your minds on the highest conceptions of the right ; prize them as gifts from our Heavenly Father, that no one can better give and no one can take away ; diligently perform the duties of the hour, and feel a partnership interest in them ; kindly acknowledge the care bestowed by those who administer to your wants, and cultivate that family influence which we trust will create a brotherhood of good-will.

Time will thus pass rapidly and you will realize that labor is not without its blessings.

As the forgiving and sustaining love of the Father is always ready for the deserving, so you may hopefully dwell on the future if you are determined to make that future bright with virtue. There are no stains on the to-morrow's of our lives. A brave and trustful spirit will achieve victories.

“All possibilities are in its hands,
No danger daunts it and no foe withstands ;
In its sublime audacity of faith,
'Be thou removed,' it to the mountain saith,
-And with ambitious feet, secure and proud,
Ascends the ladder, leaning on the cloud.”

OFFICERS OF THE PENITENTIARY AND COUNTY PRISON.

The warden of the Eastern Penitentiary, Michael J. Cassidy, continues to deserve the gratitude and praise of the Acting Committee. He receives its visits in the spirit with which they are made. He co-operates with the members and listens to their suggestions. He is found at his post taking the deepest interest in his work, and his recommendations and advice are appreciated. It is a pleasure to see him visiting each prisoner, which he does once every fortnight, and oftener if required. He hears the wishes of the prisoners, and endeavors to meet all their proper wants. He continues to call the overseers together five evenings of each week to instruct them in their duties. He attends when-

ever possible all the important conferences on prison discipline, and gives the public the advantage of hearing from him on the superior advantages of the separate and individual treatment system.

The officers under him are kind and efficient. They evidently regard their duties as involving the true humanity of their nature, as though they felt it is no ordinary calling to attend to the wants of imprisoned men.

Dr. Robinson seems peculiarly fitted for the position he holds as the physician of the Eastern Penitentiary. Besides being skilful in his treatment, he has the happy faculty of possessing the confidence of his patients. He is ready and willing to go to each, and carefully listens to everything that is said. The result is that there is comparatively little sickness and few complaints. The doctor's visits are acceptable, because while he attends to the disease, he cheers the sick man and dispels gloom and doubt.

Mrs. Mary F. Royer, the matron of the Eastern Penitentiary, preserves the high esteem of all. She has, out of over 1100 inmates an average of only twenty-five women. These are employed in making mats, stockings, mending and making clothing, etc.; and all regard her as a kind, attentive and motherly care taker, and she in turn is interested in her work and in their welfare.

At the gate we find the faithful William Ogden, who has been at the Penitentiary thirty-three years, and as he puts it forty-nine and a-half years of day and night service. This comes from his counting in labor performed all day and half the night. He still is the courteous attendant at the gate, equally kind and attentive to all.

At the County Prison we cannot too highly commend the superintendent, physician, matron, and all the officers with whom we come in contact.

Mr. Perkins is always ready to hear us, and his views are valuable. He labors under the difficulty of needing more room, and we heartily desire the appropriation of more money for the institution over which he is appointed. The

relief may come with the erection of a new county prison, when we trust the reforms he contemplates may be brought into practice.

J. J. CAMP.

The Inspectors of the County Prison employ an agent. The present officer is J. J. Camp, who, besides performing the duties which devolve upon him in that position, is always willing, to do as much more as he can for the prisoner and for the Prison Society. In this he is highly appreciated, and the regret is that he has not time to act as the agent both of the Inspectors and of the Prison Society.

He is peculiarly adapted to attending to the needs of prisoners, and his deep sympathy and noble desire for their reformation, causes him to exert himself to the utmost.

His frequent reports to the Acting Committee of the Prison Society are gratefully received and his recommendations have weight with all.

Seeing the value of the separate system, he unites with us in the sorrow we all feel that, for want of room in the men's department, several prisoners have to be placed in one cell.

He is thoroughly opposed to placing children in the County Prison. We have found him caring for them as a father, and for the discharged prisoners his appeals are earnest that they do right and never return.

We have seen him laboring with those going out who, before their incarceration, were addicted to intoxicating drink. He prayed for their sobriety, induced them to sign the pledge, and impressed them with the importance of always being sober.

THE SABBATH AT THE PENITENTIARY AND COUNTY PRISON.

It is touching as it is commendable, to visit these institutions on the first day of the week.

In the Penitentiary Rev. J. Y. Ashton, the moral instructor, continues his excellent system of having service in each corridor, knowing no preference, no sectarianism, no cold formality, but everything in the spirit of divine charity,

sympathy, love and thanksgiving. It is intensely religious, because it is purely the love of God and the love of man.

Mr. E. M. Bruce, at the County Prison, does not weary in his weekly labors in providing ministers and in offering songs of praise. It is affecting to be present and find the large number of prisoners uniting in hymns with their whole souls, and then expressing their thankfulness from their cells, for, although they hear every word, they do not see each other.

Services of this same judicious character are held at the House of Correction, and every effort is made to give each that religious food desired and required, without on the one hand destroying religious freedom, or on the other introducing bigotry or sectarianism.

HOUSE OF CORRECTION.

This institution located near Philadelphia is a public benefaction.

Edwin A. Merrick, the superintendent, is admirably qualified for the position he holds, and the good order, economy and real beauty of the place and its surroundings, prove that attention is paid to these requisites of a reformatory institution.

A recent visit impressed us with the propriety of the right the managers have of discharging an inmate, when, in their judgment, it would benefit the person so discharged. To this we would add the paramount importance of having very discreet managers, so there should not be a possibility of undeserving persons discharged through outside influence, after very short detention, and liable to almost immediate recommitment. We felt an improvement might be made in giving every one employment, and when unemployed to have schools or reading. We saw too few of the inmates reading and too many idle.

There might be graded punishments. We found two young women in dark cells. Why not begin by keeping in their cells, depriving of books, or of some change of food, or withholding some of the privileges that are given those

who do well? In the hospital department we felt the absence of pictures. It is a relief to patients to see something on the walls. The eyes tire of white walls.

The House of Correction was intended to be an intermediate place between the almshouse and the prison, and while it is certainly a valuable institution and is conducted with marked ability, it has occurred to us that there may be too much of the prison bolts and bars, and armed guards.

THE PARDON PRINCIPLE.

Governor Begole, of Michigan, seems to understand the discrimination requisite in prison discipline.

It is time the machinery-like plan of treating prisoners was done away with. He has been accused of granting pardons by wholesale, and he says in his defence:

From my experience in our prisons, where I have devoted much time, I earnestly believe that there are 200 men in our prisons to-day in whose cases the ends of justice, both to the State and the convicts, would be better served by their release. There are many young men serving out sentences for no other crime than being poor. There are rings in all the large towns in our State that arrest, convict, and send to prison, persons for no other reason than to make business for constables, sheriffs, and justices, that a small sum of money would release.

REFORMS PROPOSED—NO TIME SENTENCES.

Among the conclusions the Prison Society has reached, after years of close and practical labor, is that the *abolition of time sentences* would promote the decrease of crime and of criminals. It must not be supposed that this means any hasty, injudicious or speedy discharge of prisoners—it might rather be understood to mean their longer retention. Taking the system of imprisonment as comprehending the three essential principles: *Reformation of the criminal; the Restitution of the wrong committed; and the Protection of society*, there is evident propriety in placing the prisoner under restraint, and in the hands of a *Commission on Discharge* to satisfy these three cardinal principles.

Some might add the objects—punishment of the offender

and an example to society, but these are effects of the three principles established, and described, viz: Reformation, Restitution and Protection.

We are the friends of restraint, we are the enemies of crime; we are the friends of the human being, even though he be a criminal, so long as we are cognizant of the liability to err, and of the many temptations that beset the pathway of life; feeling and knowing the weakness of human nature and the need of the prayer "Forgive us our debts as we forgive our debtors," and "If led into temptation deliver us from evil."

First endeavor to reform the criminal, for thereby there is protection to society. Next aim to have the wrong-doer make restitution for the wrong committed, for thereby he is taught the value of property, and the crime is atoned for by the virtue of hard labor, and of overcoming the evil by good; and lastly protect society by allowing the reformed to go free on another trial, and holding the unreformed until there is undoubted evidence that it is safe to discharge.

As it is now, the sentence is pronounced and the criminal must work it out. If at the end of the term, be that long or short, he can say, and we have known it to be said, "My time is up. I have paid the penalty. I can go free, and now is my time to have revenge on my accusers. I can return to my old associates and repeat my old crimes." Such a person is not fit to be released, and yet there is no law to hold him. If he forge, steal, burn, fight or commit any crime, the same old form of arrest, hearing, trial, sentence and commitment must be gone through with, at an expense of time and money, and *after the crime* has been committed and the community injured. This is not protection to society!

Our plan would be to hold that prisoner, and to let him know he would be held so long as he entertained any criminal intent or showed any sign of continued wickedness.

On the other hand there have been, and are now prisoners who show unmistakable signs of reformation. The present

warden of the Eastern Penitentiary, as well as his predecessor, have said there are at least a score, and, indeed, there may be more, of prisoners serving out long terms who are fit to be discharged, and it would do them good, serve their families and protect society, to release them.

There is a strength in putting men upon their honor and appreciating their resolutions to be good, that is not served by holding them in confinement until the uttermost day of their sentence is filled, but which is furthered by manifesting an appreciation of their truly sincere efforts to amend their lives, and make so high a record in the future for usefulness and virtue, as to blot out the past. This is protection to society, and in the line of restitution for the wrong. These principles work in harmony and culminate in that reformation which is in fact the most substantial protection, as well as the best lesson for the community.

The objection to this reform, which is a reform that is suggested after many years of experience and of careful study, and which is being accepted by the wisest students of prison discipline, is that there may be deception practised by the prisoners, and that discharges may take place when not deserved. Our reply to this is, that while we are often deceived, care should be taken to prevent mistakes occurring. Let there be a *Commission on Discharge*, composed of those most familiar with the prisoner—those who come in almost daily contact with him, and who can watch him at all times, test his sincerity, judge of his work, understand his motives, and as far as possible decide fairly. This is especially a concomitant of the separate and individual treatment system.

No other system so well admits of this reform. Should a prisoner gain his discharge by pretending to be good: that is, should he practise this reformation for months, is it not possible that *good*, the strongest and best element of our nature—that part of our being which is the divine—will assert its supremacy and take so strong a hold as to reclaim and regenerate! Might not the sequel come to the

prisoner who was trying this moral force of goodness. *It pays to be good!* .

Undoubtedly of the two positions, this or the stubborn one of holding the convict till the expiration of his sentence, irrespective of any change in his feelings, his action or his determination, it ought to be easy to decide in favor of this. Keep the hope alive, elevate the manhood and womanhood. "Try, try again!"

WORK—AN ESSENTIAL ELEMENT.

Labor is a blessing and never a "curse." We have encouraged and earnestly recommended every prisoner to be given work of some kind.

The intelligent administration of the labor principle comprehends not only employment, but that employment be useful, remunerative and adapted to affording a livelihood for the prisoner after his discharge.

In the first place there should be no "contract labor" in the prison. The welfare of the human being must be held superior to the dollars and cents question. Whenever the bone and muscle, the time and life of a prisoner are hired out on contract, it pre-supposes the existence of a contractor, and that contractor will aim to obtain the largest returns possible from and out of his human machine.

It is gratifying to find a growing approval of this position by those who have the government of penal institutions.

If, as has been said, "Labor is the corner stone of social, civil and religious progress, involving every effort to lighten human burdens, to alleviate human suffering, and to secure the order, comfort, prosperity and happiness of the people," then it becomes an educational and reformatory factor in prison discipline, and it seems obligatory upon every penitentiary, prison and jail, indeed every house of correction, house of refuge and similar institutions, to provide work for the inmates. Next, to see to it that this work is of a kind that will not only employ the hands and the mind, but will be teaching an industry that will be both pleasant and profitable, whether in or out of prison.

In the Eastern Penitentiary there is a commendable application of this principle. Almost every prisoner is employed. The purpose is to give work to every one exercising that excellent feature in the individual treatment system, that the character of work best fitted to the ability of the prisoner will be furnished. Sometimes prisoners are given a choice of work, certainly a deference that must be appreciated and show the convict that his rights and his preferences are respected, and this reacts, by the prisoner taking a deeper interest in his work. He feels a desire to turn out good work, and a large amount of it. He loves his occupation and becomes attached to his own special tools.

That occupations should be varied and such introduced as are not in excess of the demand, are facts that have been made apparent. The great object should be to teach some good and useful trade, and to produce reliable and saleable articles. True, the prisoner had better be employed, even if the result of that employment be burned or broken up the next hour. But there is no need of this, wise economists of labor, will always be able to introduce new and profitable occupations. To ensure the fullest success there should be a "*Commission on Employment*" attached to our penal institutions.

This commission should be composed of discreet, experienced persons, who have a general knowledge of business and trades.

There should be especially in the County Prison and House of Correction, more attention paid to the employment of the prisoners.

The cry has been raised by the outside labor, and we mean by this the working people, that the prison work injures their sales. They imagine the prices are so much less that it reduces their profits, and they have actually gone so far as to protest, during this year, of stocking making being introduced into the County Prison.

The answer to this is, that from statistics it is found the criminal class is made up largely of those persons who have never been taught a trade. Some places this is as high as seventy-five per cent. This is a strong argument to the in-

production of manual labor in the primary schools, and the increase of industrial schools. Where there is a knowledge of a trade, and that trade is followed, there is certainly one danger removed to the commission of crime. A living can be earned and the mind be employed on some worthy object.

The further answer is, and to this we call the attention of the working man, that if the prisons are depleted, and those who are now convicts and non-producers were at work and earning a living, they would be in turn consumers, and the more consumers we have, the more prosperity. Busy people, money-making people are spending people: they create wants and they supply them. Let the inmates of our penal institutions be taught trades, and when they are discharged let them follow them, and they will be less apt to be recommitted. It is here that the general interest of the workmen will be served. What benefits the few, benefits all.

It is wise to so regulate the products of the prisons that they will not be thrown upon the market to be sacrificed, and thus cut prices of honest labor.

Mr. Cassidy, of the Eastern Penitentiary, wisely regulates this. First, where there is no demand for certain articles, he curtails the manufacture of such and gives others that are in request. When he offers them for sale they do not enter directly into competition with outside work. They are sold for what they are—prison work. It is not expected that the shoes or the stockings, or the cane seated chairs, or mats, or anything that is made, will in all cases be equal to first-class work. The work of even beginners must be sold, and sold for just what it is. True, first-class work, and often that which is superior is turned out, but then care is observed that no undo conflict is made with the outside labor. If this wise discrimination were made by all wardens and superintendents, and if the workingman knew the true philosophy of the saving of expense to him by keeping persons out of prison, he would not object to prisoners manufacturing goods. It is but a small matter anyhow as effecting market values.

If a knowledge of trades, of the formation of habits of

industry and general paying employments will aid in preventing crime, and hence in lessening the number of prisoners, it is not difficult to see that there will be less expense in conducting penal institutions. This expense reacts upon the laboring man. He has to bear his proportion in keeping up these prisons, and therefore in the economy of society, it is to the financial interest of all, and to the welfare of mankind and the true prosperity of nations, to study the labor question, to keep every one employed and to give every one a knowledge of trade; and we mean by this, especially that which is agricultural and mechanical, that which will create something, develop the resources of the country, and add something to the common weal and wealth.

The following communication from Mr. Brockway offers some interesting suggestions in the line of reform:

JOHN J. LYTLE,

ELMIRA, *March 9th, 1885.*

Philadelphia, Pa.

Replying to yours of the 5th, I beg to say, there is a State Agent appointed by the Superintendent of the three States Prisons, Mr. Isaac P. Baker, Albany, N. Y., but his duties do not include the discharged inmates of this reformatory. As I understand it his duty is to visit prisons repeatedly, holding interviews with prisoners soon to be released, and in his discretion aid them in securing tools in addition to the funds they would otherwise receive. I do not attach very much importance to his work. He has a small amount of money to disburse, and cannot have a very accurate knowledge of the prisoners he aids, unless, possibly, he follows up their history and ascertains whether the aid rendered proves to be serviceable or not, I think his compensation is \$2500 and necessary travelling expenses, and the whole amount appropriated does not differ very much from \$5000. There are not, I believe, any county agents.

Speaking now of the discharge-prisoner question, as it relates alone to this Reformatory, you will remember the law under which inmates are committed here, does not limit the time of detention, except as it is limited by the maximum of statutory penalty for the offense for which they stand convicted. We have authority to release conditionally any inmate, and in case he violates the condition of his release, to arrest and return him to the dormisiliary custody within the Reformatory. Under this law and system a place of employment is provided for every inmate, to which they are sent, with funds sufficient to pay their necessary expenses, and a little more, together with a respectable outfit of clothing. Retaining legal control over them during the parole period, which is usually about six months (never less), we are enabled by correspondence with themselves and their employers, to pretty thoroughly supervise them. This supervision is maintained directly from the Reformatory, and is a part of the reformatory custodial treatment provided by law, and intended to insure their reasonably safe return to free life in society at large. There is not so much difficulty in providing places as we expected. First, the

stigma of States Prison does not attach in the same degree to the discharged inmates of this Reformatory, and there is a growing confidence in our discharged inmates, attributable to the good behavior of the large number scattered through the various localities of the State. When an inmate, having passed through the grades, reaches eligibility for parole, which involves a perfect record in demeanor, labor and school progress for at least twelve months, and besides, a reasonable confidence that he is disposed and is able to maintain himself properly, then he awaits his release until suitable employment is secured. While thus waiting, his relatives and friends have special incentive to exert themselves for him, they seeking situations for the inmate, who has been previously prepared for the situation, when they communicate directly with the officers of the Reformatory. You will readily perceive that interested relatives would feel that every delay in securing a situation was an additional day of imprisonment imposed upon their relative. This gives them special activity.

The Reformatory management has authority under the law to appoint agents and pay them from the funds of the Reformatory, to supervise paroled prisoners, but we have not, thus far, found it necessary to do so, except in the large cities, and in only one instance has the agent received any compensation. Mr. Cutter, of New York City Prison Association, is paid \$12.50 per month for his services. It is unquestionably desirable, however, that a more efficient supervision should be had, for Mr. Cutter is engaged with other duties, and if it were not for the liability that any agent we might employ, would sooner or later, levy tribute upon the paroled prisoners as a condition of their continued liberty, we should ere this, have taken action in the matter. It seems necessary that any agent employed by us in a city as populous as New York, should be under the immediate supervision of some prison society, but the New York Prison Association was reluctant to undertake that work. While theoretically we are opposed to police supervision, we have in Buffalo particularly, enlisted the Chief of Police in friendly care and certification of such men as we have been sending to that city. I am gratified to be able to state that in many other smaller localities, gentlemen of good standing and philanthropy, have kindly consented, as a matter of benevolence, to aid in the care of men sent to them. I should not fail to mention in this connection the unusually valuable services voluntarily rendered by ex-Mayor Samuel Booth, of Brooklyn, who receives, encourages, and supervises any sent to his city. One of the most encouraging features of our work here is the intelligent and hearty interest Mr. Booth has shown.

Answering now your tenth question, I have to say, the employer is always made acquainted with the character of the man sent to his service.

You will glean doubtless from what has preceded, that I am in sympathy with the principle of intelligent aid of discharged prisoners, but I will condition it upon the relation of legal control upon the proper preparation of the prisoner for release previous to his enlargement, upon the knowledge of the employer of his character, and upon the rendering of such aid directly from the prison establishment in which the prisoners were confined, although the instrumentality of agents, paid or otherwise, but in populous localities the agents should be under the supervision of a local prison society, and not the Young Men's Christian Association.

Z. W. BROCKWAY,
General Superintendent.

The Special Committee on Correspondence present the following Report which will be of general interest, and of value in creating a National Bureau of Prison Statistics. During the past year circular letters were sent to the States from which replies have been received, and it is proposed to continue these inquiries of the other portions of our country.

Person addressed.	Address and Position.	Penitentiary or Jail.	Number of Prisoners.	Average Number of (committees per annum	System—Separate or Congregate.	Are the Prisoners Employed. If so, at what?	Is it on the Contract Labor Plan?	Is there a Prison Society in your Place?	Can You, and will You Form a Prison Society?	Will You Accept the Position of Corresponding Member of Our Society.	Please give us the Names of Influential Citizens with whom we can communicate.
W. T. H. Lee.....	Dep. Sheriff, Talbot Co., Md.	Talbot Co. Jail.	6	200	Cong. te.	No.	No	No	No	Yes	J. R. Jarrill, F. H. Nickerson.
Jonathan W. Plummer,	Cor. Secretary, Chicago, Ill.	Co Jail H of Cor	240	758	Both	Partly, knitting, etc.	partly	Ald.	Yes	Yes	H. Montgomery, M. Lewis.
D. J. Champlin.....	Norwich, Conn.	Norwich Jail.	25	17	Separate	Seating chairs, etc.	No	No	No	No	
L. W. Shillevell.....	Deadwood, Dak.	County Jail.	8 to 20	125	Both	No.	No	No	No	No	
Mrs. A. C. Merrill.....	Anamosa, Jones' Co., Iowa	Iowa Penitentiary.	238	150	Cong. te.	Stone work.	No	No	No	Yes	J. S. Stacey, J. M. Cain.
B. E. Scatton.....	Soc. Co. Com., Mansfield, Ct.	Linn Co. Jail.	15	15	Both	No	No	No	No	Yes	Mrs. J. R. Young.
F. T. Sumner.....	Sec. Co. Com., Mansfield, Ct.	Tolland Co. Jail.	15	15	Cong. te.	No	No	No	No	Yes	Can do so.
F. T. Dubois.....	U. S. Mar. Holae city Idaho	U. S. Penit.	65	800	Cong. te.	Making shoes, etc.	Yes	No	Yes	Yes	Territorial Prison Comm.
A. A. Brush.....	Warden, Sing Sing, N. Y.	Sing Sing Prison.	1030	130	Cong. te.	Construction.	No	No	No	Yes	G. W. Dornington, S. Purdy.
T. S. Ingalls.....	sup. Prisons, Arizona Ty.	Arizona Pen. Pn.	700	900	Cong. te.	Coal mine	Yes	No	No	No	A. Williams, J. Woodworth.
W. C. Jones.....	Warden, Folsom, Cal.	State Prison.	529	250	Cong. te.	Quarrying	No	No	No	No	
John McComb.....	Warden, Concord, N. H.	N. H. State Pen.	127	40	Cong. te.	Wood bedsteads.	Yes	Yes	Yes	Yes	G. Pillsbury, A. B. Thompson.
Frank S. Dodge.....											

E. C. Watkins	London, Mich.	H of Cor. & Ref.	950	1500	Cong te.	Shoes, cigars, chairs.	No	H. Rich, G. G. Gillespie.
A. F. Natch	Warden, Jackson, Mich.	Mich. State Pen. It.	715			partly	Yes	A. W. Dodge, R. Prazier.
E. W. McLaughry	Warden, Joliet, Ill.	Ill. State Pen. It.	1510			Yes	Yes	J. McRoberts, G. D. A. Parks.
John Alderson	Winchester, Ill.	Scott Co. Jail	1	12	Cong te.	Shoes, harness, etc.	No	Yes
S. M. Witt	Sheriff Pontiac, Ill.	Living in Co. JI.	8	60	Cong te.	No	Try	Yes
E. J. H. Horn	Baltimore, Md.	Maryland Penit.	540			No	Yes	W. B. Pyle, Aaron Richards.
F. K. Johnston	Indianapolis, Ind.	Ref. W. & Grls.	50	18	Cong te.	Stoves, boots, etc.	Yes	H. Zenkhan.
Isaac G. Peetley	Warden, Columbus, O.	Ohio Penitentiary	170	725	Cong te.	Sewing laundry	No	Yes
E. A. Hazzard	Sheriff Kossuth Co., Iowa.	Kossuth co. Jail.	2	7	Cong te.	Sine different indus	partly	Yes
G. S. Bean	Thomaston, Maine.	Maine State Pr.	175	50	Separate	Carriage harness	No	Yes
P. B. Sibley	Jailor, Brookline, Conn.	Brooklyn Jail	180	1100	Separate	Farm labor	No	Yes
Z. W. Spaulding	Sheriff Hartford, Conn.	Hartford co. JI.	643	23	Separate	Shoes, brooms, etc.	Yes	J. M. Constock, A. A. Call.
A. W. Brockway	Elmira, N. Y.	N. Y. State Ref.	1053	200	Aub. sys.	Shoes, whips, etc.	Yes	L. Hansel, W. Newcomb.
Aug. Bowers	Clerk, Albany, N. Y.	Albany co. Pen	877	450	Separate	Shoes, whips, etc.	Yes	Yes
P. H. Lavery	Sheriff Trenton, N. J.	N. J. State Pris	100	100	Cong te.	No	No	Yes
W. H. Thornbury	Sheriff Winchester, Ind.	Randolph co. JI.	6	40	Separate	No	No	Yes
F. M. Payne	Sheriff Rockford, Ind.	County Jail	43			No	No	J. C. Marvey, E. Beard.
J. M. Lassiter	Jailor, Hamilton Co., Ill.	County Jail	15	25	Separate	No	No	G. L. Binhardt, J. Beards.
H. Clannahan	Sheriff Geneva, Ill.	Pope Co. Jail	1	3	Cong te.	No	No	James Maulling
David M. Buly	Sheriff Crawford Co., Ill.	County Jail	10	20	Both	No	No	P. Bartholomew, C. E. Mann.
H. R. Masie	Dr. Lewist n, Fulton Co., Ill.	Lewistown Jail	8	150	Cong te.	No	No	J. A. Rose, Elsieha Rauch.
David C. Bradley	Dep. Sheriff Freeport, Ill.	Warren Co. Jail	2	45	Cong te.	No	No	Yes
J. J. Pierson	Sheriff Clinton Co., Ill.	County Jail	4	20	Separate	No	No	Yes
F. E. Allen	Sheriff Du Page Co., Ill.	DuPage Co. Jail	11	65	Cong te.	No	No	Yes
M. E. Jones	Sheriff Kankaku Co., Ill.	County Jail	6	75	Cong te.	No	No	Yes
George R. Letourneau	Sheriff Edgar Co., Ill.	County Jail	11	150	Both	No	No	Yes
James Stewart	Sheriff Montgomery Co., Ill.	Whiteside co. JI.	3	15	Separate	No	No	Yes
W. A. Pyle	Sheriff Whiteside Co., Ill.	County Jail	4	30	Cong te.	No	No	Yes
Thomas S. Beach	Sheriff Whiteside Co., Ill.	Stetsman Co. JI.	3	15	Separate	No	No	Yes
A. McKechnie	Sheriff Winnebago Co., Ia.	County Jail	4	30	Cong te.	No	No	Yes
H. M. Sangland	Sheriff Winnebago Co., Ia.	Delaware Co. JI.	2	50	Cong te.	No	No	Yes
John Cruise, Jr.	Sheriff Montezuma Co., Ia.	Montezuma Jail	20	250	Cong te.	Yes	Yes	Yes
J. H. Millman	Sheriff Hamilton Co., Iowa.	Hamilton Co. JI.	4	15	Cong te.	No	No	Yes
C. F. Weston	Sheriff Hamilton Co., Iowa.	Richland Co. JI.	8	13	Separate	No	No	Yes
R. M. Ink	Sheriff Richland Co., Dak.	County Jail	1	15	Cong te.	No	No	Yes
Nat Leonard	Sheriff Scott Co., Iowa.	County Jail	24	100	Cong te.	Yes, building	No	Yes
H. H. Palmer	Sheriff Montgomery Co., Ia.	County Jail	1	15	Cong te.	No	No	Yes
J. V. Wilcox	Sheriff Tama Co., Iowa.	Eldora Jail	15			No	No	Yes
J. H. Ross	Sheriff Tama Co., Iowa.	Tama Co. Jail	2	20	Cong te.	No	No	Yes
A. E. Martin	Warden, Anamosa, Iowa.	Iowa Penitentiary	15			No	No	Yes
C. C. Stephens	Sheriff Franklin Co., Ia.	Hamilton Jail	6	100	Cong te.	No	No	Yes
W. McDonald	Sheriff Woodbury Co., Ia.	W. B. H. W. Co. JI.	1	25	Both	No	No	Yes
W. W. Edgington	Sheriff Black Hawk Co., Ia.	Bl'k H Wk co JI.	6			No	No	Yes
Frank E. Millard	Sheriff Dean Co., D. T.	Beadle Co. Jail.	6			No	No	Yes
Allen McKostie	Sheriff Huron, Dakota.					No	No	Yes

CHANGE OF NAME OF SOCIETY.

Through the year consideration has been given to the importance of changing the name of the Society from that of the Philadelphia Society for Alleviating the Miseries of Public Prisons to that of the PENNSYLVANIA PRISON SOCIETY.

The principal reasons for making the change are: The name is too long. There is not the same necessity of proclaiming the "Alleviation of the Miseries of Public Prisons" now as there was one hundred years ago. The work of the Society has told favorably in this direction. The name "Philadelphia" seems to be too local, for while the labors of the Society extend throughout the State as regards caring for the prisoners that are sent to the Eastern Penitentiary, and a general interest for the Pennsylvania system, there is a misconception of the scope and perhaps a limitation of the influence of the Society, because it is named after a city instead of a State.

The year 1887 being the centennial year of the Society, it was thought opportune to submit the change now and have the necessary legal action in time.

Therefore the following initiatory action has been taken.

In the Court of Common Pleas No. 1 of the County of Philadelphia.

Of December Term, 1885. No. 115.

To the Honorable, the Judges of the said Court :

THE PETITION OF

THE PHILADELPHIA SOCIETY FOR ALLEVIATING THE MISERIES
OF PUBLIC PRISONS RESPECTFULLY REPRESENTS

That by virtue of an Act of Assembly, passed the 6th day of April, A. D. 1833, the petitioners were incorporated a corporation according to the articles and conditions set forth in their Charter, a copy of which is hereto annexed ; the principal office of the said corporation is situated in the City of Philadelphia ; that by the constitution of the said corporation, duly adopted, it is provided in Article IX thereof that no alterations shall be made unless the same shall have been proposed at a stated meeting of the Society held not less than a month previous to the adoption of such alterations ; that at a stated

meeting of the said corporation, duly held on the 22d day of Tenth month, A. D. 1885, an amendment to the constitution, which had been duly proposed at a stated meeting held more than one month previous, changing the name of "The Philadelphia Society for Alleviating the Miseries of Public Prisons" to that of "THE PENNSYLVANIA PRISON SOCIETY" was unanimously adopted, and the following resolution was also adopted :

RESOLVED, That the officers of the Society are hereby authorized to affix their signatures and the seal to such papers as may be deemed necessary to procure the desired change of name."

These petitioners therefore pray the Court to make such change of name by virtue of the Act of Assembly in such case made and provided ; and if no sufficient reason be shown to the contrary, to decree that the name of the said corporation shall hereafter be "THE PENNSYLVANIA PRISON SOCIETY," and that the said name shall be taken to be part of the Charter of the said corporation to all intents and purposes as if the same had been the original name of said corporation.

Witness the corporate seal of said Society.

And they will ever pray, &c.

[SEAL]

JOHN J. LYTLE,

Secretary.

EDWARD TOWNSEND,

Vice-President.

CITY AND COUNTY OF PHILADELPHIA, ss.

John J. Lytle, being duly affirmed according to law, says that Edward Townsend, whose name is signed to the foregoing petition, is one of the Vice-Presidents, and this deponent is one of the Secretaries of the Philadelphia Society for Alleviating the Miseries of Public Prisons ; that the office of President of said Society is now vacant ; that this deponent was personally present and did see the common or corporate seal of the Philadelphia Society for Alleviating the Miseries of Public Prisons affixed to the foregoing petition or application as and for the act and deed of said Society ; that the seal so affixed is the common or corporate seal of said Society, and that the said Edward Townsend, Vice-President, did sign the said petition as such in the presence of this deponent, and the name of this deponent above signed in attestation of the due execution of the said application is of this deponent's own proper hand-writing ; and that the facts set forth in the foregoing petition or application are true, to the best of this deponent's information, knowledge, and belief.

JOHN J. LYTLE.

Personally appeared, affirmed and subscribed before me, a Notary Public, residing in the city of Philadelphia, this 24th day of December, A. D. 1885.

JNO. J. WILKINSON,

Notary Public.

HARRISBURG, December 21, 1885.

A. SYDNEY BIDDLE, Esq.,

*Atty. for "Philada. Society for Alleviating the
Miseries of Public Prisons," Philadelphia, Pa.*

DEAR SIR:

Yours of the 19th inst. to hand, notifying this Department that an application would be made to the Court of Common Pleas No. 1, of Philada. County, on the 26th inst., for a decree changing the name of the "Philadelphia Society for Alleviating the Miseries of Public Prisons" to the "PENNSYLVANIA PRISON SOCIETY." The notice has to-day been filed. This Department has no objection to the change.

For J. B. NILES, Aud. Genl.
Respectfully,
R. S. FRAZER,

115. D., '85.

C. P. No. 1.

*Re Petition of the Philadelphia Society for Alleviating the Miseries of
Public Prisons for change of name.*

And now, the 30th day of December, A. D. 1885, the within petition having been exhibited to the Court, upon examination thereof it is found that the change of name therein prayed for is lawful and does not conflict with the Constitution and Laws of this Commonwealth, and it appearing that notice of this application has been sent to the Auditor General of the Commonwealth, it is ordered that notice of said change of name and of the presentation of the petition be published for three weeks in two newspapers of general circulation in this county.

Filed December 26th, 1885.

JAS. W. FLETCHER, Pro. Prothy.

A. SYDNEY BIDDLE,

For Petitioners.

REFORMATORIES.

[Contributed.]

In the State of New York at Elmira, there is an institution established known as a Reformatory. Its object is to receive convicts sentenced either to State Prisons, or exchanged from State Prisons, or sent from the Reformatory to State Prisons, as special circumstances may justify. The mode of discipline adopted for these convicts is based on a theory that certain individuals can be reformed by means that are addressed to the mental capacity, stimulating them to better life, elevating them in their own appreciation, and giving direction to their energies to improve their characters and become honest citizens. These convicts edit and print a Reformatory newspaper or periodical devoted to general news and the Reformatory. They have lectures, they are educated, and they work. A history is kept of most of the convicts from the time of their release.

It is a prison, a congregate prison, but the prisoners are selected from the class of convicts to be sent to Sing Sing, Auburn, or Clinton prisons. It may be called the select school for crime punishment. What results have come out of this system are yet unknown. So long as the present distinguished gentleman who is the superintendent has the control of the institution, it will be difficult to obtain accurate information on the subject of the real, practical benefits that are derived from the system he administers. He is devoted to his pet theory and his plan of carrying it out. Able, estimable, and impulsive, he rather believes that is, which ought to be. It is natural. It is the hope which animates. It is expectation which is to become realization. How much of faith lies underneath, is not so emphatically apparent.

Such an institution is an advance, a very decided advance on the New York State Prison system. A more indefensible system does not exist than what is known as a congregate contract convict labor Penitentiary. It is a blot on every phase of Christian civilization.

The Elmira Reformatory is therefore an improvement. It must be so considered, and its developments must be watched with deep interest by all penologists.

But we are not now condemning the Elmira Reformatory. Our views as to Reformatories are far beyond what is even claimed for Elmira.

A Reformatory should be confined to the young, incorrigible waifs, uncared for, untrained and ignorant, who without parental care, without oversight, are tending to a course of life which will make them criminals.

A Reformatory is, and should be, *a preventive not a punitive* place of instruction. None should be admitted to its care who have been incarcerated or confined in a prison. It is to prevent, not to punish crime.

A Reformatory should have neither bars nor bolts, keys or locks, to confine in custody its inmates. No corporeal restraint should hold the inmates. It should be a school, in which so much can be done for these young creatures as to make them comprehend it is a home, a home where a parental government will give them the advantages which for want of a natural home they never would get.

Obtain a farm of 200 acres. Build ten, twenty small houses and other needed buildings on it. Make each house accommodate ten boys. Let these ten keep their house clean, cook their food, sleep there, have a room for reading and repose and retirement. Let each house select its own chief boy as general superintendent. Teach these boys agriculture, farming, care of stock, garden work, flower culture, horseshoeing, harness-making, wheelwright work, shoemaking. Have a general school for educational purposes. Let the superintendent and matron be the father and mother of these boys. Select competent persons as instructors who have a deep, unselfish interest in the success of the institution. Train these boys to understand that an honest life, with all the knowledge necessary for both support and manhood, is the purpose for which they are cared for. That it is not a prison, but a school. So that in their

after lives they will never be charged with having been in a prison, or a refuge, or a place where incarceration was the badge of their servitude.

Is this Utopian? There are several such institutions. In France they exist, producing the most wonderful results. It is most extraordinary what has been done at Mettray, near Tours.

M. de Metz, a lawyer, and afterwards a Judge of the Tribunal of the Seine, abandoned his profession and official duties, and established a Reformatory at Mettray. The system introduced was simply parental government. It is not possible to make a synopsis of the history of the institution which will fully explain its character in this article. Let it suffice to say that it is in fact, exactly what we have herein attempted to outline. It is a school, not a prison. It is for the young. It deals to prevent crime, not to punish it. In a word it is a real Reformatory.

A word or two from reliable statistics will best tell the story of what has been accomplished by this Reformatory. Up to December 31st, 1872, 4,396 boys were sent to "The Colony." Of these 859 were offspring of parents convicted of crime; 380 from adulterous relations or concubinage; 689 were illegitimate; 293 were foundlings; 584 were born of second marriages; 831 were whole orphans.

Up to December 31st, 1872, 3104 had been discharged. 1593 became agriculturists; 707 mechanics; 694 soldiers; 110 seamen. Four earned the decoration of the Legion of Honor. Twenty-four earned the military medal, five became officers; 344 married and have families.

From other statistics we find that during the first year Mettray was opened, the number of cases of "relapsing juvenile delinquents," fell from seventy-five per cent. to fourteen per cent., and in 1871 the percentage was $4\frac{1}{2}$ per cent.

We have not been able to obtain a late report from this Reformatory, but we know that it is fully maintaining its high character. Several like institutions have been estab-

lished with the best results, in Europe, but not one in any of the States of the United States.

The Board of Inspectors of the Eastern State Penitentiary some years ago reported to the Legislature a plan for the organization of State Schools for juvenile outcasts or incorrigibles, to take the place of Houses of Refuge or prisons for this class of the young. Without then any knowledge of the place of Matrray, the system suggested was the same.

A Reformatory for the young is now a most pressing need. There can be no more distressing sight, than daily and nightly to see in our city streets lads between the ages of eight and fourteen years, who seem to be wholly without any restraining, governing, controlling influence for good. Likely without homes, free to go and do what idleness suggests; their course is a vagabond life, ending in convict punishment. Let us have a real, genuine Reformatory.

OPINIONS WITHOUT A BASIS.

[Contributed.]

It may be said, without fear of successful contradiction, that many of the opinions expressed on special sociological questions, are without any ascertained basis. It is easy to surmise or conjecture. This road to a conclusion is free from the toil of travel. To express an opinion, is regarded as a certificate of some knowledge on the subject. Like a ticket of admission to a scientific lecture, it presumes the holder is informed on the subject matter of the discourse.

But opinions on these questions to be valuable, must result from some study of the principles involved. At least the reason must be engaged either in investigating causes or elucidating the proofs and effects. There must be knowledge attained by reflection, experience or from teachings. Yet it is not unfrequently found that opinions are but the crudest guesses. How often is it that excellent men are free to declare what they assume to be facts, when the

very foundations on which facts rest are wholly unknown to them. They never believed it necessary to seek for causes when they were talking about consequences, for they assumed these consequences were self-created, self-existing facts, without antecedents. Necessarily opinions so formed, if they were formed, are without value.

Just now very much is being said about crime, criminals and punishment. Within a very limited circle these questions are attracting attention. Able men are writing and talking on these subjects with an earnest desire to know exactly on what line of investigation the most reliable information can be had.

There are theories as to crime and its punishment which have not been examined with any serious intent to deduce a clear understanding of the true merits of the one or the other. Generally, it is considered that an offender is convicted and sent to prison, and that ends the matter. Why ask any more questions? Crime has been punished. The man is in jail. What else is there in the subject. Find a prison to hold him safely, make him work, support himself, save cost to the public, that is the end, the finale. This is the opinion of a very large majority of people, who base it on the line of reasoning, or rather unreasoning, which is so superficial as to be ridiculous. Yet it is unchallenged almost in the everyday way of treating public questions.

It would likely astonish an intelligent man, who has yielded to this course of formulating an opinion on crime and punishment, that there are at least twenty causes which have resulted in the crimes of which persons are convicted, causes, of which crime was the direct consequence. It would quite as much disturb his equanimity to know that these causes were the offspring of social organisms. That society, the aggregate of people in a community, was the inducing or seducing agent of the crimes for which its members were sent to prison.

Man, it is said, is a free agent, and how then can society force or induce him to commit crime, if he was honest?

This is a serious subject to discuss. It is demonstrately true nevertheless. To demonstrate it to be true, must follow the line of investigation that all science establishes to declare, a demonstration from exact premises. You cannot guess at it. Mere assertion is no proof. Take the Baconian rule of logical investigation and prove it.

From particulars to generals that is the safe course.

The very first facts to be obtained are the number of persons convicted of crime in any given community. The age, the school instruction, the trade knowledge, the parental government, the early associations, the tastes, habits, capacity, the amusements, the inclinations, the submission to restraint in any industrial avocation. If idle, why? And how idle time was disposed of. Inherited physical and mental traits or taints, these are essential enquiries. These facts must be carefully obtained. After 1000 cases are thus critically examined, what is most likely to be shown, whatever it may be, formulate these facts into a tabulated statement. This is the best form of submitting them.

Here you have something that is true. Here you can at least discover what tends to induce crime, or, from what antecedent conditions crime comes as their direct consequence.

But the examination of a 1000 cases of a year must be compared with 1000 cases in former years.

This is very easily obtained. The Eastern State Penitentiary has fifteen years of such tables, published yearly, and by which the best information is secured on this branch of crime.

Let every State penitentiary in the different States take the same course. If it is done as it should be, with an earnest, sincere desire to give information, or a standard of formulation of these facts adopted by all penitentiaries, in five years a body of facts would be prepared that would be of the very highest importance in considering crime and punishment. Suppose it could be shown that sixty-five per cent. of young offenders on first conviction had a public

school instruction, for say three years, and but five per cent. ever learned any trade or handicraft business, or were subjected in their early youth to any good influences at home, what effect would such facts have on the inducements to crime?

Or if it could be proved that thirty per cent. of first offenders under twenty-five years of age were tainted with consumption or venereal diseases, how would such conditions tend to crime?

Should it appear that twenty per cent. of convicts under fifty years of age had mental disease, would that fact indicate the proximate or remote cause of crime?

These figures are therefore of vast importance in considering crime and punishment. It will be observed that the population out of which these convicts come are cities on the seaboard, or towns in the neighborhood.

Then to these facts add the list of crimes committed. Out of this list much information can be had.

If the crime is one to be perpetrated by skill and intelligence, it may be denominated a crime of education. So, a careful examination of these developments will give a far better insight into crime and punishment than any other line of investigation. Besides, if such an investigation should prove that out of a given 1000 cases not five per cent. are mechanics, trained, taught mechanics, would that not prove that mechanical knowledge prevents crime.

Again, if out of these 1000 cases five per cent. are shown to have been convicted for crimes, to commit which an education, that is a mental instruction of a high grade was necessary, then it would be seen that the causes of these crimes were governed by intelligence. Family discords drive to crime. Children with step-fathers fail often to receive proper home control, and crime comes out of such want of home government.

Enough has been said to direct attention to the sources from which such information can be had on which to base opinions that mean something when expressed.

It is high time that those who propose to be interested in crime, its causes and its punishment, should understand that these subjects demand careful study before opinions in regard to them are expressed without knowledge.

PRACTICAL PHILANTHROPY.

[Contributed.]

There is a class of people which seems to rejoice in the fact that the name of philanthropist includes every effort to deserve it.

The sweet, self-complaisant smile that distends the feature of the face of these philanthropists, is a study for the artist.

These individuals gather at meetings where the flow of words from all the orators is laudatory of meaningless generalities, on fellow man, the brotherhood of men, and how the miserable, poor, the vagabond and the criminal are to be found, and the great humanity which directs attention to them. The meeting then adjourns in a halo of philanthropy.

This is all very well. It is at least harmless.

Yet there is another philanthropy that is quiet, undemonstrative and effective.

This is practical philanthropy. When the object is discovered for which a pressing need exists for real help, then the practical way of giving aid is at once suggested. If the suggestion is adopted, and good common sense controls the method for help, substantial benefit is conferred.

One of the methods by which the practical philanthropist can effectively work is to help, aid and assist prisoners on their discharge from prison. Now do not let it be understood that every discharged prisoner deserves aid or assistance. Very far from it. There are many prisoners who are so intensely vicious that no kindness can be addressed to them with any possible benefit. They are beyond the reach of any good that human judgment can devise. But there are

other prisoners who can be saved from evil, by the assistance, on their regaining their liberty, which a practical philanthropy can give them.

To reach this object, we believe, after many years of experience, a society should be formed for the only purpose of giving immediate assistance to such deserving prisoners, who after serving their first sentence for their first crime, extremely need their helping hand.

The Society of *The Helping Hand*, for the class we have described would be of great value in the work it ought to do.

This practical philanthropy will bring forth its own fruit. It has the sanction of a great existing need. It has the promise of divine favor. It has in store for it, that divine blessing which is eternal on the pure faith of real Christianity. Who will then begin the work of organizing *The Helping Hand Society for Practical Philanthropy?*

DR. HENRY M. LAING, Treasurer, in account with "The Philadelphia

1885, 1 Mo. 22.	To Balance, ...		\$ 227 54
	" Cash received from City Loan Matured, .		500 00
	" " " " Interest, Randolph Fund,		60 00
	" " " " " Jesse George Fund		60 00
	" " " " " on Investments,		1080 14
	" " " " Subscriptions, . .		461 60
	" " Balance of Interest on Deposits, . .		45 60
			<u>\$2,384 97</u>
BARTON FUND.			
1885, 1 Mo. 22.	To Balance, Principal, ...	\$ 2000 00	
	" Income, ...	1267 30	\$ 3267 30
12 Mo. 1.	" Cash, Interest on \$2,000 from 10 Mo., 1884 to 10 Mo. 17, 1885, ...		120 00
			<u>\$ 3377 30</u>

Society for Alleviating the Miseries of Public Prisons."

CR.

1886, 1 Mo. 25.	By Cash paid Prison Agent, ...	\$ 550 00	
	" " " Committee on County Prison, ...	275 00	
	" " " Rent of Room, ...	60 00	
	" " " Secretary, ...	100 00	
	" " " Chairman of Editorial Committee, ex- penses, etc., for four years, ...	100 00	
	" " " Printing Journal, &c., ...	186 10	
	" " " Sundry Expenses, ...	147 90	
	To Balance (Principal \$630 00)	1015 97	\$ 2384 97

BARTON FUND.

1886, 1 Mo. 25.	By Cash paid Committee Eastern Penitentiary, ...	\$ 400 00	
	" " " for J. R. Springer's Mortgage, ...	1000 00	
	" " " " H. Maguire's "	1200 00	
	" " " Interest on Springer's "	15 00	
	" " " " " Maguire's "	12 50	
	To Balance, ...	749 80	\$ 3377 80

HENRY M. LAING, *Treas.**Philadelphia, 1st mo. 25, 1886.*

Having this day examined the account of Henry M. Laing, Treasurer, I find it correct, showing ten hundred and fifteen dollars and ninety-seven cents as balance on hand; also a balance of seven hundred and forty-nine dollars and eighty cents on the Barton Fund.

JABEZ WOOD, *Auditor.*

PHILADELPHIA, 3d mo. 11th, 1886.

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ARTICLE V.

The Acting Committee shall consist of the officers of the Society, *ex-officio*, and fifty other members. They shall visit the prison at least twice a month, inquire into the circumstances of the prisoners, and report such abuses as they shall discover to the proper officers appointed to remedy them. They shall examine the influence of confinement on the morals of the prisoners. They shall keep regular minutes of their proceedings, which shall be submitted at every Stated Meeting of the Society; and shall be authorized to fill vacancies occurring in their own body, whether arising from death, or removal from the city, or from inability or neglect to visit the prisons in accordance with their regulations. They shall also have the sole power of electing new members.

ARTICLE VI.

Candidates for membership may be proposed at any meeting of the Society, or of the Acting Committee; but no election shall take place within ten days after such nomination. Each member shall pay an annual contribution of two dollars; but the payment of twenty dollars at any one time shall constitute a Life Membership. Any person paying not less than five hundred dollars shall be called a Patron of the Society.

ARTICLE VII.

Honorary members may be elected at such times as the Society may deem expedient.

ARTICLE VIII.

The Society shall hold Stated Meetings on the *fourth* Fifth-day (Thursday) in the months called January, April, July and October, of whom seven shall constitute a quorum.

ARTICLE IX.

No alterations to the Constitution shall be made, unless the same shall have been proposed at a Stated Meeting of the Society, held not less than a month previous to the adoption of such alterations. All questions shall be decided, where there is a division, by a majority of votes; in those where the Society is equally divided, the Presiding officer shall have the casting vote.

Extract from "A further Supplement to an Act entitled, An Act to reform the Penal Laws of this Commonwealth."—Sec. VIII., Art 7.

OF VISITORS.

No person who is not an official visitor of the prisons, or who has not a written permission according to such rules as the Inspectors may adopt as aforesaid, shall be allowed to visit the same; the official visitors are the Governor; the Speaker and Members of the Senate; the Speaker and Members of the House of Representatives; the Secretary of the Commonwealth; the Judges of the Supreme Court; the Attorney General and his Deputies; the President and Associate Judges of all the Courts in the State; the Mayor and Recorder of the cities of Philadelphia, Lancaster and Pittsburgh; Commissioners and Sheriffs of the several Counties, and the "Acting Committee of the Philadelphia Society for Alleviating the Miseries of Public Prisons."

AN ACT TO INCORPORATE THE PHILA. SOCIETY FOR ALLEVIATING THE MISERIES OF PUBLIC PRISONS

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all and every the persons who shall at the time of the passing of this Act, be members of the Society called "The Philadelphia Society for Alleviating the Miseries of Public Prisons," shall be and they are hereby created and declared to be one body, politic and corporate, by the name, style and title of "The Philadelphia Society for Alleviating the Miseries of Public Prisons," and by the same name shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to take, receive, hold and enjoy, by purchase, grant, devise or bequest to them and their successors, lands, tenements, rents, annuities, franchises, hereditaments, goods and chattels of whatever nature, kind or quality soever, real, personal or mixed, or choses in action, and the same, from time to time, to sell, grant, devise, alien or dispose of, provided: That the clear yearly value or income of the necessary houses, lands and tenements, rents, annuities, or other hereditaments and real estate of the said corporation, and the interest of money by it lent, shall not exceed the sum of five thousand dollars; and also to make and have a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, or the Constitution and laws of the United States, or of this Commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering of the affairs thereof; and provided further, that the object of the Society shall be confined to the alleviation of the miseries of public prisons, the improvement of prison discipline, and the relief of discharged prisoners.

SAML. ANDERSON,
Speaker of House.

THOS. RINGLAND,
Speaker of Senate.

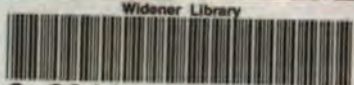
Approved the sixth day of April, Anno Domini Eighteen Hundred and Thirty-three.

GEORGE WOLF.

2000

DUE DEC 19 1928

OCT 1925 RR
CANCELLED
OCT 1 1925



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